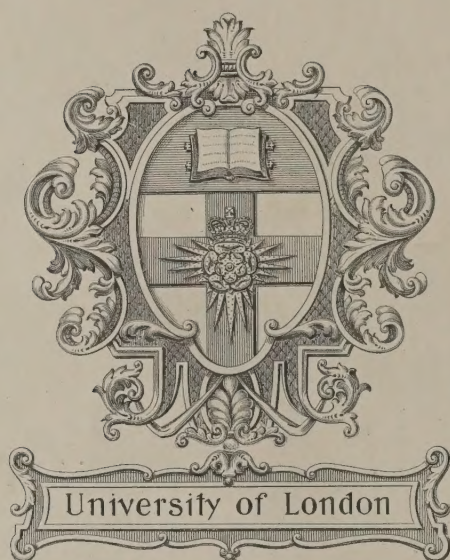


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R E P O R T S
FROM
C O M M I T T E E S:
TEN VOLUMES.

— (9.) —

SALE OF LIQUORS ON SUNDAY BILL;
SALE OF LIQUORS ON SUNDAY (IRELAND) BILL.

Session
19 *November* 1867 — 31 *July* 1868.

VOL. XIV.

1867-8.

REPORTS FROM COMMITTEES:

1867-8.

TEN VOLUMES:—CONTENTS OF THE

NINTH VOLUME.

N.B.—*THE* Figures at the beginning of the line, correspond with the N° at the foot of each Report; and the Figures at the end of the line, refer to the MS. Paging of the Volumes arranged for *The House of Commons*.

SALE OF LIQUORS ON SUNDAY BILL:

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S P E C I A L
R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

SALE OF LIQUORS ON SUNDAY
BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,
MINUTES OF EVIDENCE,

AND APPENDIX.

Ordered, by The House of Commons, to be Printed,
7 July 1868.

Thursday, 26th March 1868.

Mr. Berkeley.
Colonel Fane (Hants).
Mr. Knatchbull-Hugessen.
Mr. Hibbert.
Mr. Baines.
Mr. John Bright,
Mr. Horsfall.

Monday, 18th May 1868.

Tuesday, 7th July 1868.

[illegible]

SPECIAL REPORT.

THE SELECT COMMITTEE to whom the "SALE OF LIQUORS ON SUNDAY BILL" was referred, have taken evidence upon the subject, and have agreed to the following SPECIAL REPORT :

1. Your Committee are agreed that in certain parts of the country, and especially in some of the large towns in the north of England, a considerable feeling exists in favour of further restriction upon the sale of intoxicating liquors on Sundays ; that such feeling has been fostered and stimulated by the organisation of temperance societies and by constant efforts on the part of the advocates of further restriction ; that the existence of such feeling has been proved to your Committee by the evidence of witnesses conversant with the state of opinion in those communities, and claiming specially to represent the working classes, by the reports of various public meetings held upon the subject, and by the returns of many canvasses made in large towns with the view of ascertaining the sentiments of the inhabitants upon this question.

2. Your Committee would, however, observe that great caution must be exercised in affixing a value to the results of any such canvass. Although no imputations of dishonesty rest upon the canvassers, it has been proved to your Committee that in many instances the canvass has been of a partial nature, and does not adequately convey the real sense of the community whose opinions it professes to represent. Moreover, it is evident that a canvass conducted by persons whose object it is to obtain a particular expression of opinion is not one of a character to command such implicit confidence as one conducted by more impartial persons. Therefore, whilst so far admitting the value of such canvasses as to accept them as corroborative evidence of the existence of a feeling in favour of further restrictive legislation among a considerable portion of the community, your Committee are of opinion that no proof has been afforded of such a general demand of that nature as should induce Parliament to disregard those other considerations which lead to a different conclusion.

3. It has been proved to your Committee that a very large number of persons make use of public-houses on Sunday against whom no complaint whatever is alleged, and to whom further restrictions to the extent contemplated by the Bill would be productive of serious inconvenience. And whilst this inconvenience would occasion great discontent among such persons, it by no means follows that a commensurate benefit would result with regard to the class against whom such restrictions would be especially directed. Those who drink to excess form a very small per-centage of the whole number of persons who make use of public-houses upon a Sunday, and it is probable that many of these persons, if deprived of their present facilities for obtaining liquor, would have recourse to drinking in private houses and to various methods of evading the law. For however beneficial may be the results of restriction within certain limits, its enforcement to such an extent as to cause any violent interference with the habits of the people has a tendency to create a discontent which is sure to be followed by evasion, the law is brought into disrepute, and effects

*See questions 108-16, 367.
643. 671. 833. 877. 1112. 1121.
1267-8. 1317-18. 1461. 1606-
10. 1792. 1831. 1832. 1977.
2009. 2588-9. 3374. 4020. 4456.
4585. 5069. 5233. 5588. 6539.
6556. 6667-89. 6763. 6791.
7327. 7459. 7548. 7748. 7948.
7996. 8146. 8173-8498. 8729.*

*See questions 359. 648. 917.
1274. 1407-13. 1642. 2371-3.
2386. 2652. 4074. 4680. 5994.
6567. 6634. 6702. 7164. 7341.
7360. 8014. 8027. 8190. 8422.
8537.*

are not unfrequently produced the very reverse and opposite of those intended by the Legislature.

4. It is, moreover, clear to your Committee that there would be great difficulty in enforcing the restrictions proposed in the Bill. Not only would the duties of the police be materially increased, but the duties so imposed would be at once harassing to them and annoying to the public. To the vexed question of "Who is a *bonâ fide* traveller?" the Bill would add the question, "What is a *bonâ fide* meal?" and this is only a sample of the difficulties under which the publican would be obliged to carry on his business.

5. Your Committee would further observe, that the proposed restrictions do not afford any hope of the settlement of the question upon a permanent basis. Most of the advocates of the measure openly avow that they would accept it only as an instalment, and many of them declare their desire to put a stop to the whole retail trade in exciseable liquors. In that trade a very large amount of capital is embarked; and so long as the licensed victuallers and keepers of beershops stand in the position of men carrying on a recognised and legitimate trade, and one moreover subjected to heavy and special taxation, it would be unjust that their operations should be embarrassed, and their property depreciated in value by constant attempts to impose upon them restrictions which do not appear to be demanded by any urgent public necessity. Your Committee however believe it to be a question worthy of consideration, whether it would be advantageous to those licensed victuallers and keepers of beershops who may be desirous of closing their houses on Sunday, that licenses should be granted at a reduced rate for the sale of liquors on week days only; but that it is one upon which they have not felt themselves empowered, by their order of reference, to take such evidence as would guide them to a conclusive opinion.

6. The beneficial working of the Public-houses (Scotland) Acts, 1854-62, which has been declared by a Royal Commission, and of which evidence has been given before your Committee, does not in their opinion establish any proof that a law similar or approaching it in strictness would be either acceptable or expedient in England. For even those witnesses who spoke to the success of the Scotch law admitted that there was so remarkable a difference between the habits of the English and those of the Scotch people in their use of public-houses, that your Committee are of opinion that no trustworthy inference could be drawn from the fact of that success.

7. Although it cannot be denied that drunkenness, to a considerable extent, both on Sundays and other days, is to be found in this country, yet the admission appears to be general that the present law is working well, and that under its operation a great diminution of drunkenness has taken place. From this fact it has been argued that further restrictions would lead to further diminution, but, having regard to the experience of the past, and to the agitation consequent upon the passing of a less stringent measure than the present in 1854, which measure was repealed in the following year, your Committee are inclined to believe that the safe limit of restrictive legislation has been reached, and that further measures in the same direction would be unwise and injudicious. The praiseworthy exertions of the advocates of temperance must not be undervalued. These have, no doubt, materially contributed to the diminution of drunkenness, and simultaneously with these exertions, and the salutary influence exercised by the ministers of religion, the opening, in several of our large towns, of parks and other places wherein fresh air and innocent recreation may be obtained by the working classes upon Sunday, has drawn many of them from public-house associations, and induced them to spend their only leisure day in a manner more advantageous to themselves and to their families. Other causes have likewise contributed to this desirable result.

8. The concurrent testimony of all the witnesses proves that for many years past there has been a steady, decided, and progressive improvement in the morals, habits, tastes, and manners of the people. The advance of education, the wider

See questions 2386. 3983.
7154. 7404. 7529-30. 8109.
8498.

See questions 645. 1090. 6247.
6566. 8498. 8771.
See questions 640. 6566. 6636.
7154. 8061. 8552. 8612.

See questions 2372. 2911-18.
2939. 2991. 4258. 4325. 5025.
5103-10. 5221. 5390. 5473.
5848. 5999. 6094. 6154.
6628-9. 8161.
See questions 640. 8023. 8517.
6624-5.

See questions 9. 23. 347. 480.
633. 672. 852. 974. 991. 1450.
1601. 1665. 1995. 2041. 2367.
3342. 3885. 4051. 4637. 4669.
4773. 4810. 5011. 5061. 5212.
5327. 5411-19. 5563. 6443.
6785. 6837. 7347. 7593. 7757.
7986. 8467. 8501.
Contrary evidence is given in
questions 1303. 1581. 2401.

See questions 3444. 4000.
4056. 4224. 4583. 4868. 6268.
6403. 7601. 7763. 7786. 7986.
8406.

See questions 380. 488. 698.
1459. 1651-7. 1958. 2001.
2807. 2814. 3096. 3289. 3924.
4218-19. 4247. 4330. 4637.

wider diffusion of knowledge, and the moral influences which have been brought to bear upon them, have doubtless all combined to produce this satisfactory result. Regarding, then, this general improvement, and at the same time bearing in mind the fact that the habits of the upper and middle classes of society are far more temperate at the present day than was the case in the early part of the century, your Committee are of opinion that it is not too much to hope that as the working classes also advance in self-improvement, and are actuated by that self-respect which is engendered by improved education, the vice of drunkenness will gradually disappear without the necessity of further coercive measures on the part of the Legislature. In this view your Committee cannot recommend the passing of the Bill referred to their consideration, and would rather trust to the progressive improvement discernible under the present law, and to the further development of those moral influences to which they have already referred.

4773-4. 4872. 4897-8. 5010.
5042-4. 5061. 5327. 5418.
5568. 5669-71. 5943. 6139.
6555. 6604-15. 6781. 6798.
6800. 7033. 7231. 7347. 7351.
7756. 7801. 8030. 8468. 8535.

R E P O R T.

THE SELECT COMMITTEE to whom the SALE OF LIQUORS ON SUNDAY BILL was referred, have considered the said Bill, and taken evidence thereon, which they have agreed to report to the House, and have gone through the Bill, and disagreed to the same.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 31st March 1868.

MEMBERS PRESENT:

Mr. Roebuck. Mr. Baines. Mr. John Abel Smith. Mr. F. Stanley. Sir James Fergusson.		Mr. Locke. Mr. Berkeley. Mr. Evans. Mr. Horsfall. Mr. Hibbert.
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Sir *James Fergusson* was called to the Chair.

The Committee deliberated.

[Adjourned till Wednesday, 22nd April, at Twelve o'clock]

Wednesday, 22nd April 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSSON in the Chair.

Mr. John Abel Smith. Mr. Hibbert. Mr. F. Stanley. Mr. Locke. Mr. Horsfall.		Colonel Fane. Mr. Baines. Mr. Roebuck. Mr. Malcolm.
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Sir *Richard Mayne*, K.C.B., and Sir *Thomas Henry*, were severally examined.

The Committee deliberated.

[Adjourned till Friday next, at Twelve o'clock.]

Friday, 24th April 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSSON in the Chair.

Mr. Yorke. Mr. Horsfall. Mr. Roebuck. Mr. John Abel Smith. Mr. Hibbert. Mr. F. Stanley.		Mr. Malcolm. Mr. Locke. Mr. Baines. Colonel Fane. Mr. John Bright.
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Mr. *Thomas B. Burcham*, Mr. *Edmund Humphry Woolrych*, and Mr. *Cuthbert E. Ellison*, were severally examined.

[Adjourned till Wednesday next, April 29th, at Twelve o'clock.]

Wednesday, 29th April 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.	Mr. Yorke.
Mr. Baines.	Mr. Evans.
Mr. F. Stanley.	Mr. Hibbert.
Mr. Locke.	Colonel Fane.
Mr. Roebuck.	Mr. John Bright.
Mr. Horsfall.	Mr. Malcolm.

Major Greig, Captain Palin, and Mr. John Jackson, were severally examined.

[Adjourned till Friday next, at Twelve o'clock.]

Friday, 1st May 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.	Mr. Evans.
Mr. Roebuck.	Mr. F. Stanley.
Mr. Hibbert.	Mr. Baines.
Mr. Horsfall.	Mr. Locke.

Mr. G. Glossop, Mr. Thomas Avery, Mr. Arthur Bigge, and the Reverend John Garrett, were severally examined.

[Adjourned till Monday next, at Twelve o'clock.]

Monday, 4th May 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.	Mr. Yorke.
Mr. Baines.	Mr. Evans.
Mr. Hibbert.	Mr. Malcolm.
Colonel Fane.	Mr. F. Stanley.
Mr. Locke.	

Most Rev. Archbishop Manning, Reverend Newman Hall, and Reverend Cyril Page, were severally examined.

[Adjourned till Wednesday next, at Twelve o'clock.]

Wednesday, 6th May 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSON in the Chair.

Mr. Yorke.	Colonel Fane.
Mr. Baines.	Mr. John Abel Smith.
Mr. Horsfall.	Mr. Malcolm.
Mr. Knatchbull-Hugessen.	Mr. Locke.
Mr. Roebuck.	Mr. F. Stanley.

Mr. Duncan M'Laren, a Member of the House, Reverend Verner M. White, LL.D., and Mr. Robertson Gladstone, were severally examined.

[Adjourned till Monday next, at Twelve o'clock.]

Monday, 11th May 1868.

MEMBERS PRESENT :

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.	Mr. Knatchbull-Hugessen.
Mr. Baines.	Mr. Roebuck.
Mr. Locke.	Mr. Hibbert.
Mr. Yorke.	Colonel Fane.

Mr. *Darnton Lupton*, Reverend *Edward Jackson*, and Mr. *George Walker*, were severally examined.

[Adjourned till Wednesday next, at Two o'clock.]

Wednesday, 13th May 1868.

MEMBERS PRESENT :

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.	Mr. Yorke.
Mr. Baines.	Mr. Horsfall.
Mr. Malcolm.	Colonel Fane.
Mr. Locke.	Mr. Hibbert.
Mr. Knatchbull-Hugessen.	

Mr. *S. G. Jowett* and Reverend *S. A. Steinthal* were severally examined.

[Adjourned till Monday next, at Twelve o'clock.]

Monday, 18th May 1868.

MEMBERS PRESENT :

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.	Mr. Yorke.
Mr. Hibbert.	Mr. Knatchbull-Hugessen.
Mr. Locke.	Colonel Fane.
Mr. Evans.	Mr. F. Stanley.
Mr. Roebuck.	

Mr. *John Smith Eldridge*, Mr. *James Barlow*, Mr. Alderman *Mackie*, and Mr. *John Thomas Enright*, were severally examined.

[Adjourned till Wednesday next, at Twelve o'clock.]

Wednesday, 20th May 1868.

MEMBERS PRESENT :

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.	Mr. Knatchbull-Hugessen.
Mr. Locke.	Mr. F. Stanley.
Mr. Hibbert.	Mr. Yorke.
Mr. Evans.	Colonel Fane.
Mr. Horsfall.	

Reverend *J. Flather*, Mr. *Christopher Bushell*, Mr. *James Howard*, Mr. *George Freshwater*, and Reverend *T. De Vine*, were severally examined.

[Adjourned till Monday next, at Twelve o'clock.]

Monday, 25th May 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSSON in the Chair.

Mr. John Abel Smith.
Mr. Baines.
Mr. Roebuck.
Mr. Locke.
Mr. Evans.

Mr. Hibbert.
Colonel Fane.
Mr. Knatchbull-Hugessen.
Mr. John Bright.
Mr. Malcolm.

Mr. *George Potter*, Mr. *Robert Stirling Newall*, Mr. *Samuel Elliott*, and Reverend *George Mollett Murphy*, were severally examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 28th May 1868.

MEMBERS PRESENT:

Mr. ROEBUCK in the Chair.

Mr. John Abel Smith.
Mr. Baines.
Mr. Locke.
Mr. Yorke.
Mr. Horsfall.

Mr. Knatchbull-Hugessen.
Colonel Fane.
Mr. Evans.
Mr. Hibbert.

Mr. *T. Smith*, Mr. *Joseph Leicester*, Mr. *William Cockburn*, Reverend *Edward Mathews*, and Reverend *G. W. McCree*, were severally examined.

[Adjourned till Monday, 8th June, at Twelve o'clock.

Monday, 8th June 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSSON in the Chair.

Mr. John Abel Smith.
Mr. F. Stanley.
Mr. Roebuck.
Mr. Baines.
Mr. Yorke.

Mr. Evans.
Mr. Knatchbull-Hugessen.
Mr. Berkeley.
Mr. Locke.

Mr. *Robert Matthew Morrell* and Mr. *Thomas Winterbotham* were severally examined.

[Adjourned till Thursday next, at Twelve o'clock.

Thursday, 11th June 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSSON in the Chair.

Mr. John Abel Smith.
Mr. Roebuck.
Mr. Horsfall.
Mr. Knatchbull-Hugessen.
Mr. Baines.

Mr. Yorke.
Mr. Malcolm.
Mr. Berkeley.
Mr. Evans.
Mr. Locke.

The Honourable *Henry F. Berkeley*, a Member of the Committee, examined.

Mr. *Thomas Winterbotham*, further examined.

Mr. Alderman *Fisher*, examined.

Rev. *George Mollett Murphy*, further examined.

Mr. *Jabez West*, examined.

[Adjourned till Monday next, at Twelve o'clock.]

Monday, 15th June 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.
Mr. Baines.
Mr. Locke.
Mr. F. Stanley.
Mr. Knatchbull-Hugessen.

Mr. Roebuck.
Colonel Fane.
Mr. Malcolm.
Mr. Evans.

Mr. *J. T. Rowland*, Mr. *Richard Waygood*, and Mr. *James T. Staton*, were severally examined.

[Adjourned till Thursday next, at Twelve o'clock.]

Thursday, 18th June 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.
Mr. Baines.
Mr. Locke.
Mr. Yorke.
Mr. Roebuck.

Mr. Horsfall.
Mr. Knatchbull-Hugessen.
Mr. F. Stanley.
Mr. Evans.
Colonel Fane.

Mr. *Duncan McLaren*, a Member of the House, further examined.

Captain *H. Segrave*, Mr. *J. Wybergh*, Mr. *Michael Beal*, and Mr. *John Wilson*, were severally examined.

[Adjourned till Monday next, at Twelve o'clock.]

Monday, 22nd June 1868.

MEMBERS PRESENT:

Sir JAMES FERGUSON in the Chair.

Mr. John Abel Smith.
Mr. Locke.
Mr. Roebuck.
Mr. Yorke.
Mr. Baines.

Mr. Knatchbull-Hugessen.
Mr. Evans.
Mr. Malcolm.
Mr. F. Stanley.
Mr. Berkeley.

Mr. *Joseph Wadhams*, Mr. *William Aitken*, Mr. *William Rea*, and Mr. *Joseph Henshall*, were severally examined.

[Adjourned till Thursday next, at Twelve o'clock.]

Thursday, 25th June 1868.

MEMBERS PRESENT :

Sir JAMES FERGUSSON in the Chair.

Mr. John Abel Smith.	Mr. Roebuck.
Mr. F. Stanley.	Mr. Horsfall.
Mr. Locke.	Mr. Yorke.
Mr. Hibbert.	Mr. Baines.
Colonel Fane.	Mr. Berkeley.
Mr. Evans.	Mr. Malcolm.
Mr. Knatchbull-Hugessen.	

A letter from Rev. *Dawson Burns* to the Chairman was handed in, read, and ordered to be printed (*vide* Appendix).

Mr. *George Candelet* and Mr. *Arthur James Johnes* were severally examined.

Room cleared; the Committee deliberated.

Motion made, and Question proposed, "That, considering that the present law has worked most beneficially, and that drunkenness is steadily diminishing, the Committee are of opinion that further legislation of a restrictive character is not required"—(Mr. *Roebuck*).—Amendment proposed, to leave out from the words "that the," to the end of the Question, in order to add the words "Restrictions now placed by law on public-houses and beer-houses on the Sunday are shown to have worked beneficially in diminishing drunkenness, and that very great numbers of the working classes desire still further restriction, your Committee are of opinion that further legislation in that direction will be attended with public advantage"—(Mr. *John Abel Smith*)—instead thereof.—Question proposed, That the words proposed to be left out stand part of the Question.—Amendment, by leave, *withdrawn*.

Another Amendment proposed, to leave out from the word "That," to the end of the Question, in order to insert the words "believing that the restrictions established by the present law have worked beneficially in diminishing drunkenness, your Committee, while they think some of the restrictions proposed by the present Bill to be unnecessary, are of opinion that an earlier closing of public-houses on Sunday evenings will be attended with public advantage"—(Mr. *Hibbert*)—instead thereof.—Question put, That the words proposed to be left out stand part of the Question.—The Committee divided:

Ayes, 7.	Noes, 6.
Mr. Berkeley.	Mr. Baines.
Mr. Knatchbull-Hugessen.	Mr. Evans.
Mr. Locke.	Colonel Fane.
Mr. Malcolm.	Mr. Hibbert.
Mr. Roebuck.	Mr. Horsfall.
Mr. F. Stanley.	Mr. John Abel Smith.
Mr. Yorke.	

Main Question put, and *agreed to*.

Resolved, "That, considering that the present law has worked most beneficially, and that drunkenness is steadily diminishing, the Committee are of opinion that further legislation of a restrictive character is not required."

The Committee proceeded with the clauses of the Bill.

Preamble, postponed.

Clauses 1, 2, and 3, read, and *negatived*.

Preamble read, and *negatived*.

Ordered, To report.

Resolved, That the Chairman do move the House for leave to make a Special Report.

[Adjourned till Tuesday, 7th July, at Twelve o'clock.]

Tuesday, 7th July 1868.

MEMBERS PRESENT :

Sir JAMES FERGUSON in the Chair.

Mr. Locke.
Mr. Knatchbull-Hugessen.
Mr. John Abel Smith.
Mr. Horsfall.
Mr. Roebuck.
Mr. Evans.

Mr. Yorke.
Colonel Fane.
Mr. Baines.
Mr. F. Stanley.
Mr. Berkeley.
Mr. Hibbert.

The Committee deliberated.

Special Report proposed by Mr. *John Abel Smith*, read a first time, as follows :—

“ The Committee appointed to consider the Sunday Sale of Liquors Bill, and the questions immediately connected therewith, beg to report to your Honourable House, as follows :

Witnesses examined.

“ 1. The Committee have examined 59 witnesses, pursuing diversified occupations, and occupying various social positions, who have shown themselves, more or less, acquainted with the condition of the people, and with their sentiments upon the subject of this inquiry. This list of witnesses was composed of two Members of the House of Commons, D. M'Laren, Esq., M. P. for Edinburgh; and the Honourable F. H. Berkeley, M. P. for Bristol. Four London stipendiary magistrates, Sir T. Henry (Bow-street), T. B. Burcham, Esq. (Southwark), E. H. Woolrych, Esq. (Lambeth), C. E. Ellison, Esq. (Worship-street). One provincial stipendiary magistrate, A. Bigge, Esq. (Brighton). One county court judge, A. J. Johnes (Midland Wales). Three justices of the peace, R. Gladstone, Esq. (Liverpool), D. Lupton, Esq. (Leeds), C. Bushell, Esq. (Neston, Cheshire). Three mayors, T. Avery, Esq. (Birmingham); R. S. Newall, Esq. (Gateshead); J. Barlow, Esq. (Bolton). Seven chiefs of police, Sir Richard Mayne (Metropolitan), Major Greig (Liverpool), Captain Palin (Manchester), Mr. Jackson (Sheffield), Mr. Glossop (Birmingham), Mr. Enright (Southampton), Captain Segrave (Wolverhampton). Two magistrates' clerks, Mr. Eldridge (Southampton), Mr. Wybergh (Liverpool). Four aldermen and town councillors, Mr. Alderman Mackie (Manchester), Mr. Alderman Fisher (Sheffield), Mr. Elliott (Plymouth), Mr. Beal (Sheffield). Twelve ministers of different religious persuasions, Archbishop Manning (London), Rev. Dr. Garrett (Manchester), Rev. Newman Hall, LL. B. (London); Rev. Cyril Page (London), Rev. G. M. Murphy (London), Rev. Dr. White (Liverpool), Rev. E. Jackson (Leeds), Rev. S. A. Steintal (Manchester), Rev. J. Flather (Sheffield), Rev. T. de Vine (Newcastle-under-Lyne), Rev. E. Mathews (Bristol), Rev. G. W. M'Cree (London). One superintendent of towns' missions, Mr. Jowett (Bradford). Twelve large employers of labour, or persons intimately acquainted with bodies of working men, J. Howard, Esq. (Bedford), R. Waygood, Esq. (London), Mr. G. Walker (Leeds), Mr. G. Freshwater (Bedford), Mr. Potter (London), Mr. Leicester (London), Mr. W. Cockburn (Pease's ironstone mines, Yorkshire), Mr. Morrell (London), Mr. West (London), Mr. J. Wilson (Sheffield), Mr. W. Aitken (Ashton-under-Lyne), Mr. W. Rea (Stockport). Four prominent members of licensed victuallers' associations, Mr. Smith (London), Mr. Winterbotham (London), Mr. Wadhams (Birmingham), Mr. Candelet (Manchester); and three persons otherwise engaged, Mr. Rowland (London), Mr. Staton (Sheffield), and Mr. Henshall (Gorton, near Manchester).

Principal subjects of inquiry.

“ 2. The witnesses above enumerated were examined at 18 sittings of the Committee, and the questions, 8,488 in number, traversed and re-traversed the whole of the ground comprehended within the present inquiry. The leading points upon which information was chiefly sought and supplied were four: 1st. The influence of legislation already restricting the period for selling intoxicating drinks, especially on Sunday; 2ndly. The extent to which intemperance and social demoralisation are still induced by the Sunday traffic in strong drink, and their probable reduction by legislative action; 3rdly. The measure of acquiescence and support, on the one hand, or of disapproval and opposition on the other, which additional limitations on the Sunday traffic in strong drink would receive from the public generally, and the working classes in particular; 4thly. The nature and force of the objections entertained by those who oppose further restrictions. On each of these points we proceed to summarise the salient features of the evidence submitted.

First subject of inquiry.

“ 3. I. *The legislation which at present restricts the period during which intoxicating liquors are legally sold on Sunday* has been almost unanimously approved by the witnesses examined. They agree in attributing to it a diminution of the Sunday intemperance formerly

formerly prevalent, and a preventive influence of important and permanent value. Referring to restrictive enactments, Sir Richard Mayne said (Q. 189), 'They have been useful.' Again (Q. 202), 'There would be greater drunkenness if there were no restrictions.' Again, when asked (Q. 203), 'Do the evasions bear any proportion to that state of drunkenness which would exist if there were no restrictions?' he replied, 'No, I think not.'

General approval of present legislation on the Sunday sale of intoxicating liquors.
Sir Richard Mayne's evidence.

"Mr. Burcham, stipendiary magistrate of Southwark, said (Q. 556), 'I do not go so far as to say that I am against all restrictions, because certain restrictions are reasonable, and, I think, necessary.' Mr. Woolrych, stipendiary magistrate, of Lambeth, who was asked by Mr. Roebuck (Q. 659), 'I presume that you believe that restriction has hitherto been beneficial in keeping down drunkenness?' replied, 'Yes, I do believe so.'

Mr. Burcham's evidence.
Mr. Woolrych's evidence.

"Mr. Ellison, stipendiary magistrate, of Worship-street, said, in answer to Q. 848, 'that the measures referred to had worked well.'

Mr. Ellison's evidence.

"Major Greig, chief constable of Liverpool, on being asked (Q. 890) whether the Wilson Patten Act of 1854 was beneficial, replied, 'Yes, particularly so.'

Major Greig's evidence.

"Mr. Jackson, chief constable of Sheffield, certified from his own observation at Oldham, that the same Act 'had the effect of diminishing drunkenness considerably.' (Q. 1469.)

Mr. Jackson's evidence.

"In reply to the Question 1740, 'Can you bring to mind any one instance in which restrictions on the facilities of getting drink have been otherwise than good?' Mr. Glossop, chief constable of Birmingham, answered, 'I cannot.' The late superintendent of police at Southampton, Mr. Enright, said (Q. 4436) that the operation of restrictive laws in that town had been attended 'with very much benefit,' thus confirming the testimony of Mr. Eldridge, the clerk to the Southampton bench (Q. 3850), 'I am quite sure that past restrictions have worked usefully.' Concerning the effects of the Act of 1854, Mr. Lupton, a magistrate of Leeds, and a great promoter of popular improvements, declared (Q. 3206), 'Yes, it was very beneficial, as far as Leeds was concerned, and we were very sorry when it was repealed; it had a very important effect.'

Mr. Glossop's evidence.

Mr. Enright's evidence.

Mr. Eldridge's evidence.

Evidence of D. Lupton, Esq., J.P.

"The testimony of Mr. George Potter, president of the London Working Men's Association, is decided on the same point; for when asked (Q. 5047): 'Certain restrictive laws now exist with reference to drinking, particularly on Sunday; do you believe that those restrictive laws, as far as they have gone, have been beneficial in their operation?' He replied, 'I believe they have been greatly beneficial.'

Mr. George Potter's evidence.

"A few examples, however, occurred of dissent from this all but universal belief. Sir Thomas Henry, stipendiary magistrate of Bow-street, asserted (Q. 376), that 'he did not believe that if public-houses were opened on Sunday morning drunkenness would be increased;' yet he had previously extolled (Q. 351) the Act closing public-houses on week-days from one to four a.m., as 'the most useful Act that ever was passed for the purpose of preventing drunkenness.'

Sir T. Henry's opinion against Sunday morning closing, but approval of the Closing Act of 1864.

"Mr. Waygood 'denied (Q. 7033) that restriction had anything whatever to do with 'the moral improvement of workmen;' but the same witness also gave evidence (Q. 7045) that he had seen 900 persons drunk on one Sunday morning, on Glasgow-green; and that a credible gentleman had seen 2,000 in that condition, in the same place; and he also gave it as his opinion (Q. 7066) that the reign of Queen Victoria 'is the most unfortunate which the future historian would have to record.' Another witness against the Bill referred to the Committee, Mr. Beale, of Sheffield, said 'he did not think past restrictions had been beneficial' (Q. 7718); and Mr. Wybergh, clerk to the Liverpool magistrates, avowed (Q. 7549), 'I have no faith whatever in restrictive laws on this subject;' but however useful such opinions may be as a means of testing the reliance to be placed on other opinions against further restrictions, these witnesses were flatly contradicted upon the above point by other witnesses who were likewise opposed to the Bill. Mr. Morrell (Q. 6445) confessed that closing up to one o'clock on Sunday had 'decidedly diminished drunkenness.' Mr. Staton, of Bolton, after asserting that he did not think existing restrictions had diminished drunkenness (Q. 7232), admitted that the closing up to one o'clock had been 'beneficial, and that the law had had a good effect' (Q. 7290). Captain Segrave, chief constable of Wolverhampton, said (Q. 7326) that 'the present Act works very satisfactorily.' Mr. Wilson, of Sheffield (Q. 7868), was 'sure the Sunday morning closing had led to good.' Mr. Aitken, of Ashton (Q. 8186), regarded the same practice as 'a very great advantage, decidedly.' Mr. Henshall (Q. 8433) 'approved of present restrictions.' Mr. Wadham (Q. 8049) believed they had done 'a great amount of good.' Mr. Candelet (Q. 6514) 'was free to admit that the restrictions which closed public-houses on Sundays to one o'clock after Divine service, 'was of value to a large portion of the working classes.' Mr. Wadham suggested (Q. 8004) that the efficiency of the Sunday morning closing would be increased by appointing a superior class of police to supervise the public-houses, 'because,' he said, 'I have no doubt at all that there is a great temptation in the way of the police officer who goes to visit these places.'

Mr. Waygood's objection to restriction, and account of Sunday morning drunkenness on Glasgow-green.

His opinion of Queen Victoria's reign.

Mr. Beale's opinion.

Mr. Wybergh's opinion.

Mr. Morrell's opinion.

Mr. Staton's opinion.
Captain Segrave's evidence.

Mr. Wilson's opinion.

Mr. Aitken's opinion.

Mr. Henshall's opinion.

Mr. Wadham's opinion.

Mr. Candelet's opinion.

Mr. Wadham's suggestion of a special supervision of public-houses.

Archbishop Manning's evidence on the effects of entire Sunday closing in the diocese of Cashel among the Roman Catholic population.

Rev. G. M. Murphy's evidence on the effects of entire Sunday closing at Guernsey.

The evidence of D. M'Laren, Esq., M.P., on the effects of entire Sunday closing in Scotland since May 1854.

Statistics concerning the drunkenness of Edinburgh in 1853, 1855, and 1867.

Report of Royal Commission of 1859.

Public opinion in Scotland on the entire Sunday closing of public-houses.

Bearing of the preceding evidence upon abstract objections to further restrictions in England.

Second subject of inquiry.

Representations as to the small extent of drunkenness on Sunday.

Based on a forgetfulness of important facts.

"Some important evidence was submitted as to the effect of restrictions, where they extend to the whole of Sunday. Archbishop Manning entered at some length into the facts relating to the Sunday closing of public-houses in the Roman Catholic diocese of Cashel, through 'a voluntary and spontaneous compact by the people with the clergy, and 'with one another;' and the tendency of this arrangement is stated by close observers on the spot, to be (Q. 2399) 'to make temperance a public virtue, and to make men temperate every day in the week, as well as on Sunday. The committals for drunkenness on Sunday, which were before very numerous, have become nil. In one bridewell, every Monday morning, there used to be from a dozen to 20 persons for drunkenness on Sunday; now there is seldom one; for three months not one committal for drunkenness.' The evidence of another witness, Rev. G. M. Murphy, relates to Guernsey (5547), 'where the entire population is almost a working-class population, and they close the public-houses entirely on the Sunday there, not only without inconvenience, but with so much advantage from the restrictive principle, that now they are making a canvass through the various parishes to get the people to go to the Estates court for restricting the sale of 'drink altogether.'

"Concerning the effect of the law in Scotland, under which all sale of liquor is prohibited from 11 on Saturday night to 8 o'clock on Monday morning, Mr. M'Laren, M.P., for Edinburgh, has afforded information of a very instructive kind. Immediately the Scottish Act began to operate (in May) it was found possible to save the expense of a new prison for the county and city of Edinburgh, which was about to be erected; and although the remarkable diminution of the consumption of ardent spirits in Scotland may in part be attributed to other causes, especially to the increase of the revenue duty returns put in by Mr. M'Laren, clearly attest the powerful and salutary operation of the Sunday Closing Act. In 1853, the total of helpless drunkards taken up in Edinburgh were 5,727, in 1855 they were 5,014, and in 1867 they had sunk to 1,915. Of this number, the Sunday drunkards in 1853 were 641, in 1855 they were 389, and in 1867 they were 164. Of these again, the number found drunk between eight on Sunday morning and eight on Monday, were 337 in 1853, in 1854 there were 176, and in 1867 there were 33. Monday drunkenness has also greatly diminished. The daily average of persons in the great county and city prison was 531 in 1853, in 1855 it was 371, in 1867 it was 337; nor is it a small consideration that this diminution of drunkenness and crime should have been continuous in the face of an increasing population. In regard to the Royal Commission which was appointed in 1859, Mr. M'Laren remarked (2672) that the Commissioners 'did not merely 'stay in Edinburgh, but went to different towns and important districts in Scotland, and 'took evidence upon the spot, and the evidence was overwhelming in favour of the Act, 'and they reported accordingly.' The public opinion in Scotland at the present time concerning the entire Sunday Closing Act is thus deposed to (2674): 'I think the longer 'that the experience has been, these Acts are more and more valued, and I should think 'that Members from all parts of Scotland, boroughs and counties, would strenuously resist 'the repeal of those Acts.'

"The testimonies and facts above adduced are a complete answer to the simply abstract arguments advanced against a restrictive policy (such as the right of a person to do what he pleases, unless in so doing he directly produces some perceptible mischief),—arguments which are usually so advanced without a perception on the part of those who use them, that they are as available against the degrees of restrictions already in force, and confessedly of great value, as they are against other degrees of restriction which may be desired on the ground of the general weal.

"4. II. *The extent of Sunday intemperance, with its consequent evils, and the probable effect of legislation further restricting the hours of Sunday traffic in drink*, were questions upon which considerable diversity of opinion was manifested by the witnesses examined. It was represented by some of the witnesses against the Bill that intemperance on the Sunday was small in amount and comparatively insignificant in its results; and in support of this view appeal was made to statistics showing that the persons taken up for drunkenness on Sunday bear only a small proportion to the bulk of the population. But such a method of reasoning is based on assumptions directly contrary to evidence laid before the Committee, showing, first, that but a fraction of the public intemperance ever gets entered on the police sheet; secondly, that great demoralisation is consequent on Sunday drinking that stops short of open drunkenness; and thirdly, that great misery to families, and injury to industrial operations are produced, altogether apart from the drunkenness committed to the police cell, or brought before the police court.

"In the careful and able Report of the Committee on Public-houses, in 1854, it is stated,—

"That 'in considering the question of the existing state of the law in its bearing on 'public morals, they have to observe that there are no sufficient statistics to enable the 'average amount of drunkenness in the United Kingdom to be stated with any approach 'to accuracy.'

"Further, that 'the evidence before the Committee is sufficient to show that the 'amount of drunkenness is very much greater than appears on the face of any official 'returns.'

"Again,

"Again, 'The testimony is universal that the greatest amount of drinking takes place 'on Saturday night and during the hours that the houses are allowed by law to be open 'on Sunday.'

"Your Committee concur in the accuracy of these conclusions.

"(1.) The police statistics are no accurate gauge of public drunkenness; in such cases 'it is dangerous,' as Sir Thomas Henry said (344), 'to trust to mere returns.' Sir Richard Mayne, when asked (166), 'What are the instructions given to policemen with regard to drunken cases?' replied, 'That if a person is merely drunk, and not exposed to danger either of person or property, he should be got home, if his home is known.' And the effect of this regulation is pithily summed up in the answer of another witness, Rev. G. W. M'Cree (6144): 'A serjeant of police in St. Giles's, a few days ago, said to 'me, that a wise policeman never interferes with a drunken man if he can help it.' Major Greig says, of even the Liverpool statistics (1007): 'Those figures are perfectly 'truthful; but, for instance, in the case of any person, although he may be very much 'under the influence of liquor, if he is quiet, the police have orders to advise him to go home, 'and not get into trouble; and then, with regard to those "refused charges," whenever 'there is an opportunity, or there is any chance of a person finding his way home, he is 'not detained.'

Police statistics on gauge of public drunkenness.

Evidence of Sir R. Mayne.

Statement by Rev. G. W. M'Cree.

Evidence of Major Greig.

"Mr. Glossop's testimony as to the rule in Birmingham is similar: (Q. 1588.) 'If they 'are very drunk, you always keep them?—Yes; and if they were not, we certainly would not interfere with them.' (Q. 1589) 'What general instructions do you give your police 'on that matter?—Not to interfere with persons if they are able to go home.'

Evidence of Mr. Glossop.

"The Mayor of Bolton describes the practice adopted in that town: 'It is not a true 'description of the entire drunkenness; we do not take people up for being drunk merely, 'it is only when they are drunk and disorderly, or drunk and incapable.' (4213.)

Evidence of the Mayor of Bolton.

"The Rev. G. M. Murphy gives evidence of what practically occurs in respect to a large number of public-houses on the south side of the Thames (5436): 'I have estimated that, 'on the very lowest average, on every Sunday night, at least half a dozen persons are 'turned out of each of those places helplessly drunk, or nearly so. I was mentioning that to two friends of mine, two navvies, yesterday, and asking them whether they thought my 'average an excessive one, and one of them stated, "All I can say is, that I lived in this "street some time ago, and out of that public-house at the corner I have seen 50 persons "turned out drunk between Saturday night and Sunday night.' "

Statement of Rev. G. M. Murphy.

"(2.) The effect of public-house drinking, when falling short of intoxication, is often very injurious, and exceedingly so to the young. The Rev. E. Jackson, who is actively interested in one of the lowest parishes of Leeds, remarks (3235): 'If I was to be asked to 'single out any one cause which is productive of hurtful results to the working man more 'than others, I should say the opening of public-houses and beer-houses on Sunday for 'drinking on the premises.'

Public-house drinking very injurious, especially to the young.

"Mr. Jackson again says at (3251), 'Of all classes of the community females are the 'class to whom the public-house influence on a Sunday is the most deadly. A girl from '14 to 18, once drawn to the public-house to drink on Sunday evening is almost certain 'to fall; and my experience in connection with the Penitentiary of Leeds, which we call 'our Guardian Asylum, of which I am generally chairman, has ever been to that effect, 'that those who are brought there in a great measure have to trace their fall to their 'having been drawn to the public-house on Sunday.'

Evidence of Rev. E. Jackson.

"Mr. Howard, the large employer of labour at Bradford, observes (4812), 'I may say 'that the fathers of families felt very strongly upon the question, and said that the opening 'of public-houses on Sunday was a great temptation to the junior members of their family; 'that they could manage them during the week, when they were at work, but on Sunday 'they had very great difficulty in controlling them.'

Evidence of J. Howard, Esq.

"Mr. Lupton, J.P., who is a great promoter of social reform in Leeds, observes (3050), 'of all classes of the community, young women are most damaged by Sunday drinking.'

Evidence of D. Lupton, Esq., J.P.

"The Rev. G. W. M'Cree gave evidence (6181), 'I have had a letter from the country 'stating that a correspondent of mine found 20 boys and girls drinking in the back pre-mises of a public-house on a Sunday evening, and he recognised most of them as Sunday 'scholars; therefore, the benefit received in the Sunday school on the morning of Sunday 'is counteracted by the demoralization of Sunday evening.'

Evidence of Rev. G. W. M'Cree.

"Rev. Newman Hall, minister of Surrey Chapel, Blackfriars-road, asserts (2558), 'Anyone here or elsewhere who would undertake to devote three or four hours on the 'Sunday to elevate the people, socially and intellectually, just to raise them up from their 'degraded condition, and endeavour to do them good by personal effort, would at once 'find the great antagonism of this Sunday drinking, and would at once feel the im-portance of such a movement as this.'

Evidence of Rev. N. Hall.

"(3.) The relation of Sunday drinking to domestic misery and week-day idleness has been aptly illustrated by several of the witnesses before the Committee. According to an estimate by Mr. Candelet, Secretary of the Manchester and Provincial Licensed Victuallers' League, the sum of 8,000 £. is the profit every Sunday on the sales of the

Relation of Sunday drinking to domestic misery and week-day idleness.

Estimate of Sunday receipts of publicans.

5,340 licensed victuallers connected with that association. The estimate is certainly a low one, as it amounts to but 30 s. profit per house per Sunday; yet, if the same estimate applies to all public-houses in England (68,000), a total of 100,000 *l.* profit is obtained in these houses each Sunday, or 5,200,000 *l.* yearly on the Sundays of every year. If but a fifth is added for the 45,000 beer-shops, a total of 6,240,000 *l.* profits is arrived at; and it is impossible to suppose that this enormous sum can be obtained, so much of it from the working class, without serious detriment to the domestic comforts of their wives and children.

Evidence of D.
Lupton, Esq., J.P.

"Mr. Lupton, in answer to the question (Q. 3063), 'You believe that the men and their families would be better and happier if Sunday drinking were entirely suppressed?' replied, 'It is a proposition about which any man acquainted with the working classes 'could not have the slightest doubt.' Major Greig, head of the Liverpool police, was asked (Q. 1043), 'Do you believe that the women and children would benefit very

Evidence of Major
Greig.

'largely in Liverpool if the expenditure of the working men on beer on Sunday was 'reduced?' and he replied 'No doubt of it.' He was asked again (Q. 1044), 'A very 'considerable amount of the earnings of those men are spent on Saturday night and 'Sunday in the public-houses, are they not?' and he answered 'Yes, and that money 'is diverted from the clothing and education of their family.' These effects are not produced by set intention, but, according to Archbishop Manning (Q. 2385), 'by the 'excessive and dangerous facilities afforded to the working classes on Saturday night and 'Sunday, by which they are drawn from their better resolutions, and spend all their 'honest wages;' and it is not, therefore, surprising that benevolent gentlemen, like Mr. Howard, twice mayor of Bedford, should be able to say (4814), 'The feelings of 'the women, not only in my official capacity, but in my capacity as a manufacturer, are 'often brought home to me, and I know that the great grief of the wives of the working 'men is, that all their troubles are brought upon them by drink.'

Archbishop
Manning's evidence.

Evidence of
J. Howard, Esq.

Mr. Wilson's
evidence.

"Mr. Wilson, of Sheffield, testified to the existence of a large class in that town, popularly known as those 'who burned charcoal on Sundays; that means keeping in their 'houses, because they have no clothes to appear out in.' It is the testimony of the Rev. Newman Hall (2552) that 'Sunday drinking deprives the wife and the children of much 'money which otherwise would go to the comfort of the household; it interferes, as I 'have already said, with religious liberty, and the religious life of the women, who are 'frequently, by their husbands drinking on Sunday, prevented from being at the House 'of God.'

Evidence of Rev.
N. Hall.

Mr. Leicester's
evidence.

"The effects thus induced do not terminate with the Sunday. Mr. Leicester, who is conversant with the habits of working men of superior skill, states (5682), 'I find that 'Sunday tippling leads to Monday drinking; and I believe that the very cream of the 'Bill which you have had the honour of bringing into Parliament is, that it does not allow 'tippling on the premises.'

Rev. G. W. M'Cree's
evidence.

"The Rev. G. W. M'Cree, who for more than 20 years has been acquainted with St. Giles, declares (6115), 'I have been in the habit of visiting the poor in their homes 'on the Monday and during all the week, and I have always found a larger proportion of 'drunkenness to have existed on the Sunday, and consequently a larger amount of misery, 'and unhappiness, and vice existing on the Monday and Tuesday, in consequence of 'Sunday drinking.'

Mr. Cockburn's
evidence.

"Mr. Cockburn, the foreman of Messrs. Pease's ironstone mines, in Yorkshire, has given evidence (5951) of a loss of labour, not properly accounted for, of '78 out of 592, equal to three-fourths of a day each man per week, and this he largely ascribes to Sunday drinking. He adds (5953), 'It entails very serious loss upon the owners of pro- 'perty themselves, and not only upon them, but upon all the various works which are 'depending upon their works, as they are the producers of the raw material, and there 'is the same staff to keep for the Monday, Tuesday, and Wednesday, of clerks and officers, 'and men about the place, as there is on the Thursday, Friday, and Saturday; and that 'gives something like three-halfpence more per ton in the working cost for the first three 'days.' And he proceeds to state (5934), 'their being off on the Monday, Tuesday, and 'Wednesday is from the effects of their drinking, principally, on the Sabbath day.' Mr. Howard, of Bedford, bears similar testimony (4796): 'We have more absentees on 'Monday than on any other day.' Referring to employers of labour in Leeds, Mr. Lupton remarks (3061), 'Many of them deplore that good hands do often give way 'to drinking on the Sunday, and are unable to come to their work on the Monday morn- 'ing, and that they have to turn them off occasionally as an example to the other men break- 'ing time to such an extent as many of them do.'

Mr. Howard's
evidence.

Mr. Lupton's
evidence.

Mr. Walker's
evidence.

"Mr. Walker deposes to the same connection (3422), 'I have known instances, and I 'believe many more could be given, where men have been kept from the public-house on 'a Sunday, and have been at their work on the Monday; but if they have had access 'to the public-house on Sunday, they invariably broke their time on two days in the 'week.'

Mr. Jowett's
evidence.

"A similar explanation is supplied by Mr. Jowett, of Bradford (3536): 'In many 'trades, such as boiler-makers, smiths, brick-setters, and in some cases engine-fitters and 'moulders, those who are off drinking on Sunday morning hinder those who are their 'mates

'mates or partners in work for Monday, and very often for Tuesday. I have had 'sorrowful experience of that myself, and I know that there are thousands of cases of that 'kind.'

"Important evidence on this head is furnished by the Rev. G. M. Murphy (5463): 'Before I came to London I was associated with the large firm of Sir Charles Fox and 'Mr. John Henderson, at Birmingham. Sir Charles Fox has stated (and it quite bears 'out my own views of the matter) that the large majority of accidents in connection 'with their extensive works occurred on the Monday, and were the results of unsteadiness 'occasioned by the Sunday's drinking. I had an opportunity of asking Sir Charles Fox, 'within the last fortnight, as to whether he still coincided with that opinion, and he said 'that he did; and that he should be quite willing to ratify anything that he had said upon 'that subject.'

Rev. G. M. Murphy's statement of Sir C. Fox's opinion.

"The inference suggested by evidence of the character above cited, that farther restrictive legislation is admissible and desirable, was strongly advanced by many of the witnesses themselves. The opposite sentiment was indeed expressed by several magistrates and the chief constable of Wolverhampton, but no satisfactory reason was assigned for an opinion which resembles rather a foregone conclusion than a deduction from a body of well-established facts. Nothing was elicited in examination to prove that the limits of judicious legislation had been reached, or that a power operating for good up to the existing boundary would cease to act, or act in a reverse direction, if that boundary should become in any degree extended. Mr. Woolrych, stipendiary magistrate of Lambeth, though evidencing a bias unfavourable to restriction, acknowledged (676), that 'upon 'the whole there would be a diminution of drunkenness;' and added, 'Even allowing 'that there might be private drinking, drinking by associated bodies, and so on, on the 'whole, I think that probably there would be a diminution.' Major Greig, chief of the Liverpool police, gave a very decided opinion (921): 'I have had a great deal of conversation upon this point with clergymen, and in two cases with two eminent brewers, and 'with the people generally, and I give you the opinion of 1,100 men, because in all matters of consequence, I take the opinion of those who are the seniors in the force, and 'they are one and all of opinion that if the hours were curtailed so the drunkenness 'would diminish.'

Inference in favour of further restrictions on the Sunday sale of liquors.

Mr. Woolrych's opinion of the effects of further restrictions.

Major Greig's opinion.

"In answering a question (1063) he said, 'I think that it would produce great general 'good.'

"Mr. Bigge, stipendiary magistrate of Brighton, gave it as his belief (2028) 'That 'further restriction would prevent drunkenness, and it is a thing to be desired.' Not less decided was the expressed opinion of Mr. George Potter, President of the London Working Men's Association, who said (5039), 'I believe that restriction could be carried 'further with benefit not only to them, but to other classes of society also.' By far the greater number of the other witnesses expressed the same conviction.

Mr. Bigge's opinion.

Mr. Potter's opinion.

"5. III. *The question, whether further restrictions on the Sunday Sale of Liquor would be popular or otherwise*, was a point warmly contested before your Committee. Those who affirmed that they would not be popular, had seldom any evidence to adduce except impressions gathered from personal observation or casual converse. The advocates of restriction mainly relied on the evidence afforded by great public meetings, by numerous petitions, and by special canvasses of localities and trades. With regard to Liverpool, the Rev. Dr. White (2941), testified to the holding of 'immense meetings crowding the largest 'buildings,' and to a town canvass resulting in 44,149 signatures of householders in favour of entire Sunday closing, 3,300 signatures against, and 6,417 signatures in favour of closing except for two hours, during which no drink should be consumed upon the premises. These signatures, when classified, showed that of the artisan and labouring classes, 29,920 were in favour of entire closing, compared with 2,121 against any change of the law. It also appears (2884), that 759 Liverpool publicans signed a paper in favour of entire Sunday closing, and that 113 others declared themselves verbally in favour of such a measure.

The third subject of inquiry.

The popularity or otherwise of increased restrictions.

Rev. Dr. White's evidence concerning Liverpool.

"Mr. Wybergh, when asked whether his own opinion against further restriction was shared by the inhabitants of Liverpool generally, answered (7566), 'Possibly not;' and on being further asked, 'Perhaps more than possibly not?' answered (7567), 'Very likely not.' As to Manchester, Captain Palin, chief of the police, when asked (1513), 'Would the public opinion at Manchester sanction some further restriction?' replied, 'I 'gather the impression from what I have heard, that it would sanction it;' and when asked (1322), 'Whether the wives of working men would approve of it, and consider it to be in 'their interests?' he said, 'I think they would.' The Rev. S. A. Steinthal affirmed the existence of a strongly preponderant public opinion in Manchester in favour of very extensive restrictions, and presented the figures of a canvass of a ward, the lowest as regards moral condition, showing for entire Sunday closing 1,474 householders, 364 against, 175 neutral, 201 forms refused, 203 persons out when called on, and 48 houses empty. The returns of a general Manchester household canvass showed 27,612 affirmative replies, 4,070 negatives, and 2,190 neutrals. Concerning Birmingham, Mr. Glossop, the chief constable, when asked (1741), 'Whether the upper classes, the middle classes, 'and the more respectable portion, and the better conducted portion, of the working 'classes, would be in favour of further restrictions on Sunday,' replied, 'I think they 'would;'

Mr. Wybergh's statement.

Captain Palin's opinion as to Manchester.

Rev. S. A. Steinthal's evidence.

Mr. Glossop's opinion as to Birmingham.

would;' and when asked (1742), 'Would those who would be dissatisfied, and who would complain, be a very marked minority?' he answered 'Yes.'

The Mayor of Birmingham's opinion. "The Mayor of Birmingham also stated (1952) that 'the conclusion he had arrived at was, that public opinion is advancing in the direction of additional restrictions upon the liquor trade.'

Rev. E. Jackson's evidence as to Leeds. As to Leeds, Rev. E. Jackson gave evidence (3263) of a great meeting held above 10 years ago in the Cloth Hall, attended by 10,000 persons, when a resolution approving of entire closing was carried by a large majority. 'Again, four years ago, in a borough meeting held in the large Town Hall of Leeds, and crammed with men amounting to 1,400 or 1,500 people, only five hands were held up against total closing. Again, a body of working men came to me two years ago, and offered themselves to canvass amongst their work-fellows for the affirmative for Sunday closing; and I have this morning received from Leeds the first instalment of the canvass of the families, from door to door, which has taken place in only a portion of one ward, but that ward is pre-eminently a working man's ward, and the result is this, that out of 1,129 families in the East Ward of Leeds, who have been called upon within the last three or four days, for closing entirely there were 802, against closing there were 204, and neutral 123. And, from my knowledge of working men, and my continual intercourse with them, I have not the slightest doubt that, if it depended upon a popular vote, we should carry it by five out of six, or six out of seven, throughout the whole borough of Leeds.'

Mr. Lupton's evidence as to Leeds. "Mr. Lupton gave evidence (3032) of a recent meeting in the Working Men's Institute, attended by 400 or 500 working men, when every hand but one was held up in favour of Mr. Smith's Bill. Mr. Lupton also stated (3061), 'I have spoken to a great many, and some of them representative men, in almost every class, and there is a complete concurrence of opinion that it would be a most desirable measure.' It may be added, that Mr. Lupton declared himself (3208) to have been authorised by a distinct resolution of the Leeds magistrates to represent their views to the Select Committee in favour of the Bill. In reference to Bradford, Mr. Jowett says (3571), 'I really do believe that I am speaking the feelings of an overwhelming majority of the people of Bradford when saying that the town would be in favour of further restriction on Sunday drinking.'

Mr. Jowett's opinion as to Bradford.

Evidence of D. M'Laren, Esq., M.P., as to Edinburgh. "As to Edinburgh, where entire Sunday closing is carried out, Mr. M'Laren, M.P., said (2724), 'I think, if you were to poll the working classes of Edinburgh, an enormous majority of them would be in favour of the present state of the law.' The Mayor of Gateshead said (5208), 'I think the opinion there is very much in favour of restricting the hours,' and he explained (5209) that he referred to 'both the magistrates and the working men; those with whom I come in contact.' The stipendiary magistrate of Brighton said of the respectable working class of that town (2041), 'I think they are in favour of further restriction.' Of Plymouth, Mr. Elliott testified (5314), 'The working classes generally are in favour of increased restrictions.' Concerning Cornwall, with which Mr. Elliott is connected by business, he said (5332), the feeling there among working men is much stronger than it is in Plymouth in favour of restriction.

Rev. E. Mathews' evidence as to Bristol. Rev. E. Mathews stated (6096) that a house canvass of Bristol had procured 13,785 returns thus classified; yeas, 8,829; nays, 1,822; neutral and not voted, 3,134; a representation of public sentiment which may well be placed by the side of the statement that 4,000 electors had signed an address to the Hon. F. H. Berkeley, requesting him to exercise his unfettered judgment on the Bill referred to this Committee. Concerning Bolton, one witness states (Mr. Staton, 7149) that the public opinion is not favourable to further restriction, but opposite evidence is furnished by the Mayor, who asserts (4025) that, 'for many years there have been large public meetings held upon the subject, from 2,000 to 3,000 have generally assembled, and the votes have been almost unanimous regularly; and also (4028) that, as the result of a house canvass, 9,717 papers were collected, 6,377 of which were in favour of entire Sunday closing, 1,783 against, and 1,557 neutral.

Evidence concerning Bolton by Mr. Staton and the Mayor. Mr. Cockburn, referring to the 2,600 men employed under him at Messrs. Pease's mines, affirmed (5947) that 'the major part of them would wish restriction to be carried further.' The chief constable of Wolverhampton, himself disinclined to a greater restriction, said (7249) that 'though it would cause some inconvenience at first, the people would in a very short time bear it as any other law that would be passed.'

Mr. Cockburn's evidence. Concerning Wales, Mr. Johnes, a county court judge of great experience, speaks in very comprehensive terms (8753): 'I am certain that there is scarcely a working man throughout North Wales, and, as I believe, throughout South Wales, that is not in favour of the Bill, or of entire closing.'

J. A. Johnes, Esq.'s evidence as to North Wales. Mr. Johnes also furnished statistical returns whose accuracy he guaranteed, from his personal knowledge of the persons employed in the canvasses, in proof of his declaration. As one example, he instanced (8764) the slate quarries of Festiniog, where, out of 1,270 people, 1,260 voted for the Bill: 'those are workmen in the quarries, and almost all labouring men.' One witness, Mr. Henshall, of Gorton, near Manchester, a Unitarian Sunday school teacher, testified that a portion of the ratepayers of that district were opposed to the Bill, but he acknowledged that the annual assembly of Unitarian churches in Lancashire and Cheshire had recently petitioned in favour of Mr. Smith's Bill. Of Bedford, Mr. Howard stated (4820) that he 'believed the bulk of the people would be glad of such a Bill as the one before the Committee.'

Mr. Henshall, of Gorton.

Vote of the Annual Assembly of the Unitarian Churches of Lancashire and Cheshire.

Mr.

Mr. Freshwater, of the same place, also gave interesting evidence in these terms (4881): 'There are between 500 and 600 men where I work now; and before that I worked at another factory where there were a great number of men, and I have conversations with a great many men now with whom I am connected. Although they are drinkers, and although, at the present time, they make use of public-houses from the Sunday drinking custom, yet they have invariably told me that they would very much approve of public-houses being closed on the Sunday, to prevent anyone going to sit down in the public-houses to drink.'

Opinions of J. Howard, Esq., and Mr. Freshwater, of Bedford.

"In reference to Newcastle-under-Lyne, the Rev. T. de Vine stated (5022), that a canvass had resulted in 1,863 signatures of householders for total Sunday closing; 131 opposed, 36 neutral, and 262 refusals to fill up the papers; and he added (5023), that this was 'a fair picture of the feeling of that town.' Mr. George Potter when questioned concerning Mr. Smith's Bill, avowed his belief (5037) that 'it would be received with much favour amongst the respectable and intelligent, and thoughtful artisans of the country.' Mr. Leicester gave evidence to the same effect (5675): 'My position, as secretary, brings me in contact with between 200 and 300 glassblowers in London; and on one occasion I took a petition in favour of this measure into the club-room, and I merely pointed out the provisions of the Bill, and every name in the club-room was attached to the petition at the end of the meeting.'

Evidence of Rev. T. de Vine, of Newcastle-under-Lyne.

Mr. George Potter's evidence as to working men's opinions.

Mr. Leicester's opinion as to working men in London.

"Other questions addressed to this witness, with the answers returned, were as follows:—

"(5656.) 'Do you believe that their personal wishes and aspirations go beyond the limits of the Bill referred to this Committee, inasmuch as a great many of them are in favour of Sunday closing altogether?—My opinion with regard to the sentiments and feelings of the working classes with reference to this measure is that it is not restrictive enough.'

"(5657.) 'That is your opinion; do you believe that that opinion is shared by the majority of the respectable working men in the class to which you belong?—I do.'

"(5654.) 'Your employment and your habits of life bring you into communication very largely with the working class and labouring men in London?—They do.'

"(5655.) 'On the whole do you believe that that class of men view with favour the proposal for increasing the restrictions on Sunday drinking?—Decidedly so.'

"Rev. G. W. M'Cree corroborated this testimony in a very decided manner, and portions of his evidence may be appropriately cited:—

Rev. G. W. M'Cree's evidence.

"(6121.) 'Do you believe that the people feel that themselves, and that they are disposed to see restriction carried further than it is?—It is very common both for the men and the women on the Monday and Tuesday to say to me, and often with tears, "Oh, Mr. M'Cree, we wish the public-houses were all shut up on the Sundays; it would be a great blessing to us and our families."'

"(6150.) 'Reverting to the feelings of working men as to restriction, do you think that they look at the existing restriction as a useful means of protecting them from their own folly?—I have found the more respectable and thoughtful working men to be decidedly in favour of increased restriction.'

"(6166.) 'Having a very long and varied experience in reference to the working men of London, and the country generally, do you give an undoubting testimony in favour of increased restriction, wishing to see it carried further than the limits of my Bill?—Yes; and I believe that such restriction would be perfectly safe, and most beneficial to the poor.'

"(6167.) 'Do you know anything of the feelings of employers of labour in London upon this subject?—I have conversed with large numbers of them.'

"(6168.) 'What do they say?—They are decidedly in favour of closing public-houses on Sunday, because their losses in consequence of the absence of their men on the Monday are simply enormous, and the disappointments to their customers are often very painful to themselves, and are injurious, of course, to the public altogether.'

"Rev. G. M. Murphy, among other facts, informed the Committee (5448) that meetings had been held by working men in the Lambeth Baths, and all the expenses paid by them, and he added, 'We have also had a conference on education at the Lambeth Baths, attended by nearly 1,000 men, and it was held by adjournment on two weeks. Mr. Aldermen Lawrence presided over one sitting, and Mr. Thomas Hughes, the Member for Lambeth, over the other; and I remember the resolution passed at the first sitting of that conference was to this effect, "That the conference is further of opinion that the diminution of the public-houses and beershops, the abridgment of the hours of sale on week-days, and their entire closing on Sundays, associated with a keener sense of justice on the part of the clergy, squires, and farmers of the rural districts, would tend very much to diminish what of ignorance exists amongst us;" & c.'

Rev. G. M. Murphy's evidence.

Mr. Morrell's
opinion.

Canvass of St.
Pancras in 1863.

Case of Sheffield ;
conflicting evidence.

Archbishop Man-
ning's opinion.

Evidence from
petitions.

Petitions in favour
of Mr. Somes's Bill
in 1863.

The Session of 1867.
Petitions in 1863.

Mr. Alderman
Mackie's opinion.

Fourth subject of
inquiry.
Objections to in-
creased restrictions.

Objection from the
steady diminution
of drunkenness.

Reply.

"The general drift of Mr. Murphy's evidence was subsequently controverted before the Committee, and a canvass of certain streets and workshops, the particulars of which he related, was the subject of considerable discussion, but nothing was elicited tending to show that this canvass had been conducted otherwise than with perfect fairness of intention. One witness, Mr. Morrell, who claimed to speak with authority as to the prevalence of a hostile feeling among the working classes of London against further restriction, adduced no facts except in reference to a single workshop, where the only question submitted had been that of entire Sunday closing. It may be noticed that the gratuitous attempt of this witness to cast discredit on a canvass undertaken in St. Pancras, caused information to be laid before the Committee that in 1863 the great metropolitan parish of St. Pancras was carefully canvassed to ascertain the opinions of the adult inhabitants upon Mr. Somes's Bill for closing public-houses from 11 o'clock on Saturday night till six on Monday morning, and that this canvass, costing 130 £, resulted in the returns of 26,544 adult opinions in favour of that Bill, 19,014 against, and 7,766 neutral. Each of the eight wards gave a majority for the Bill, the total majority being 7,530 or 17 per cent. The case of Sheffield has been *sui generis*, in regard to the conflicting nature of the evidence submitted as to the state of public opinion upon additional restrictions. Mr. Alderman Fisher, Mr. Wilson, and Mr. Beal have affirmed that a majority of all classes would be opposed to such legislation, while the chief constable, Mr. Jackson, and the Rev. J. Flather, have given evidence of a different tenour. Mr. Jackson remarked (1507), 'I think they would submit to the house being open two hours less in the evening.' Mr. Flather (4525) gave the summary of a canvass in 1863, in reference to Mr. Somes's Bill; in favour, 13,152 householders; against, 6,031; for closing, except two hours, 613; neutral, 2,256: total, 22,052. When asked whether there would now be a larger number in favour of partial closing than there was in 1863 in favour of total closing, Mr. Flather answered (4568), 'Yes, that is the predominant feeling, I believe, in the town.' Mr. Flather also presented (4536) the result of a canvass of 130 workshops, representing all the principal trades of the town, the totals being, for total Sunday closing, 4,769; against, 3,369; neutral, 769. No. 6 of the Appendix Papers furnishes a summary of household canvass in 56 towns, giving a total of 88,776 votes for entire Sunday closing, 13,809 against, and 11,127 neutral. A shorter list of eight towns using canvass schedules, differing from those supplied by the Central Association, gives a total of 37,098 yeas, 6,824 noes, and 5,104 neutrals. Returns from 40 workshops canvassed, also show a greatly preponderating feeling among the workmen who have expressed an opinion; nor does it seem possible, in view of all this accumulated and concurrent testimony, to avoid the conclusion arrived at from independent evidence by Archbishop Manning, that 'to a very great extent the working people of this country are at this moment moving in favour of such a restriction as the Bill 'before the Committee proposes,' if not of legislation still more extensive and complete. The evidence from petitions equally points in the same direction; for, although the remarkable effort of 1863, issuing in 5,393 petitions with 903,987 signatures, has not been repeated, the 27th Report of the Select Committee on Petitions gives a total of 4,473 petitions, and 486,737 signatures, thus composed: in favour of total Sunday closing 820 petitions, 156,183 signatures; in favour of Mr. Smith's Bill, petitions, 3,653; signatures, 330,544. The petitions against the Bill up to the same date were 583, with 476,942 signatures. Of signatures there has therefore been a majority of 9,795, and of petitions 3,890. No reason has been advanced for impugning the genuine character of the petitions in behalf of further restriction, which (taking into consideration the number and the variety of localities whence they have proceeded) indicate a very general interest in the question to which they relate. Imputations cast upon the petitions, such as having been signed by children, or as bearing fictitious signatures, have in no single instance been established. It may be sufficient to remark of petitions on the other side, that they have invariably been projected and circulated by persons pecuniarily interested in the result of this inquiry, and do not afford any evidence of a deep or wide-spread public sentiment against the curtailment of the Sunday liquor traffic. Mr. Alderman Mackie, himself a large wholesale and retail spirit dealer, states (4404), 'My idea is that it is not the 'public that wants this accommodation so much; it is those who deal in the article; they 'say that the public would be very much disappointed; it is their business, and they say, 'We are so interested in supplying the wants of the public that we dare not shut up on 'Sunday.' The public make no such demand upon them; in my opinion, they are only 'open for the purpose of the mere sale of drink.'

"6. IV. In considering the objections that have been taken by some of the witnesses to further legislation of a restrictive tenour, while there is no reason to speak otherwise than respectfully of the persons proposing them, it is impossible to assign to their objections any considerable weight.

"(1). The objection, 'that drunkenness is steadily decreasing under the operation of 'moral causes, and that its further diminution may be wisely left to the continued action of 'such causes,' can only be accepted when it is shown that legislation is not itself a powerful educator of public sentiment, and a necessary co-operator in the improvement observed. In the opinion of several able witnesses, intemperance is not diminishing in some of the more populous districts of the country. This opinion is somewhat supported by the Judicial Statistics of England and Wales, according to which the cases of drunk and disorderly in the

the year ending 29th September 1864 were 100,067; ending 29th September 1865, 105,310; ending 29th September 1866, 104,368. Intemperance also continues, as formerly, the greatest cause of crimes of violence and of the poverty to which crimes against property are largely due. The complaint is likewise general that intemperance among women and children is extensively increasing, one sign of which seems to be afforded by the fact, that whereas in 1840 the total cases of females charged with drunkenness in the Metropolitan District were 5,842 out of 16,505, or 35 per cent., the number in 1867 was 7,838, out of a total of 16,941, or 46 per cent. It cannot be maintained for a moment that law has no preventive office in regard to crime; and if preventive legislation against Sunday tipping is now confessedly operative to a marked extent, it may be legitimately inferred, till the contrary is shown, that extended restrictions will have a tendency to operate in the same direction.

"(2.) The objection that 'Sunday drunkenness is small in amount, and less than on other days of the week,' is answered by the evidence cited above, as to the fractional proportion of public intemperance coming under the charge of the police. It may also be remarked that constables on night duty, taking drunken persons to the police station, would have to appear against them the following day, when off duty, and at the loss of time allowed for rest, an inconvenience which they are not likely to incur when it can possibly be avoided. It must likewise be remembered that as public-houses are now closed 16 hours out of the 24 on Sunday, no just comparison can be made between the cases of police-charged drunkenness on that day and on other days of the week.

Objection from the small extent of Sunday drunkenness.

Reply.

"(3.) The objection 'that great popular discontent would be excited by further limiting the sale of liquor on Sunday,' is opposed to ample evidence that such legislation would be received with general favour. Fears of tumult, founded on the Hyde Park riots of 1855, are purely chimerical, since it is known that those disorders arose, not out of the Wilson Patten Act of 1854, but Lord Robert Grosvenor's Sunday Trading Bill of 1855. If proof were wanting of this position, other than is provided by the newspapers of that date, it is furnished by the entire absence from the Evidence and Report of the Select Committee of 1855 of any allusion to the disturbances in Hyde Park as connected with the restrictions on Sunday drinking. That the class who would be most discontented by an earlier Sunday-evening closing would be the habitual frequenters of public-houses is the opinion of Major Greig; who says, speaking of Liverpool (1240), that it would be 'entirely confined to them.'

Objection from probable popular discontent.

Reply.

"(4.) The objection, 'that great public inconvenience would be occasioned,' relates to a number of particulars which must be separately examined.

Objections from public inconveniences that would be occasioned.

Replies.

"(a) Some witnesses were under a misapprehension as to the scope of the proposed changes, and others had not taken into account the facilities that would be permitted to *bonâ fide* travellers under the construction of that phrase by the Court of Common Pleas.

"(b) It was abundantly shown in evidence that the dinner and supper convenience of the working classes would be met by the permission to open between one and half-past two, and between 8 and 10 o'clock. Mr. Winterbotham, for London (6697), and Mr. Wilson, for Sheffield (7915), who were opposed to the Bill, admitted that the dinner wants of the working classes would be sufficiently provided for.

"(c) The opinion that persons taking short walks would be precluded from obtaining refreshments excludes from consideration the means that would exist, and would probably be increased, for procuring refreshments of a non-intoxicating character within the prohibited hours. No difficulty on this score is ever experienced in places of public resort on Sunday around the metropolis. Similar facilities are found in the parks near Birmingham, as appears from the evidence of Mr. Wadhams, who, though he thinks persons would be 'considerably inconvenienced,' immediately adds (7996), 'They go to one of those places which are open, and they walk about, and enjoy the fresh air there for two or three hours; and they necessarily want some refreshment. They can get tea and coffee at one of those places, because there is a refreshment-room provided in the park; but they sell neither ale, wine, nor spirits.'

"(d) The belief that the working classes could not easily obtain beer for Sunday use, if public houses were closed for a longer period, was satisfactorily refuted. Mr. Alderman Mackie, when asked (4395), 'Do many working men within your knowledge buy their beer on Saturday night and keep it for Sunday's dinner?' replied, 'I know of my own personal knowledge that hundreds and thousands in Manchester do.' The suggestion of one Honourable Member of the Select Committee, that beer on draught would not always be procurable by persons who might prefer it to bottled beer, was pertinently answered by the witness under examination, Mr. Bushell, J.P. (4735), who replied, 'If the whole legislation of this country is to be governed by the liking of a man, or his preference between bottled and draught beer, and all moral and religious considerations are to be set at naught for his sake, I have nothing to say. I should decline to legislate myself, if I were a legislator, at all in that point of view.'

"(e) The supposed grievances of excursionists were brought prominently under notice during the sittings of the Committee; but it was shown that such individuals would be entitled to be regarded as travellers, and that in very few towns and for a very short

season in the year, excursion trains return at a later hour than from 9 to 10 o'clock. Excursionists from Sheffield 'do not, generally speaking, come home late in the evening,' Mr. Beal (7794). With regard to London, Sir Richard Mayne was not prepared to say that it was necessary to give excursionists the hour between 10 and 11 (71). Referring to this class, Archbishop Manning said (2438), 'When they return home, and the excursion is over, and the work of the day is done, I think to go to bed is the best thing, and I see no reason whatever for their going to a public-house.' The Rev. G. M. Murphy 'confirmed this opinion from observation (5472): 'I had for many years a place of worship next to the South Western Station, in Waterloo-road, in Hawkstone Hall, which was built to commemorate the memory of Rowland Hill. The hours of service were sometimes late, so that I had an opportunity of seeing the excursionists, and the great majority of them I know went right away home without drinking; and the people who had been drinking were for the most part quarrelling, as though they had been rather unrefreshed than anything else.' Mr. George Potter considered (5051) that the opposition supposed to exist against closing from 10 to 11 was 'imaginary rather than real.' Mr. Bigge, stipendiary magistrate of Brighton, believed (2171) that 'the people would acquiesce in the proposed restriction; they would take it as a matter of course.' Captain Palin (1290) thought 'that in a short time they would be reconciled to it, and would not care for it.' Mr. Elliott of Plymouth states (5341) 'I think the inconvenience would be very small compared with the great advantage that would be derived to the community generally.' The Rev. Newman Hall has put the case thus forcibly (2536): 'Of course there would be some inconvenience; but every useful law might be prevented if it is a valid argument that some inconvenience will result. The balance of benefit I can have no question of at all; and I believe that every class in the community would admit that, after it had been working a little while.' And again (2580), 'I think that the inconveniences would be very small; persons generally, who are desirous and respectable, are able on that day to have the drink at home, if they take it, and they would be very glad to have greater peace and quiet in the streets and neighbourhood, and diminished poor rates to pay.' Archbishop Manning (2480): "I do not think that those houses are to be treated as the supplement to bad dwellings; but I think they form a strong temptation to men whose dwellings are bad to leave them, and to leave their wives and children to inhabit them in their miserable poverty.' And further (2481), 'I would not use the word inconvenience; I would adhere to what I said at first; I think that they would be relieved of a temptation which is in a very great degree ruinous to their families and to themselves.'

Objection from supposed increase of illicit drinking.

Reply.

"(5.) The objection alleged by some witnesses 'that illicit drinking would be so much increased as to render further restrictions of comparatively little value,' was not sustained by reliable evidence, official or otherwise. Sir Richard Mayne appeared to labour under the impression that the Wilson Patten Act had led to great evasions and to a revival of Tom and Jerry shops, but was reminded (239) that he had given expressly opposite evidence before the Select Committee of 1855, when the facts were fresh in his mind. Mr. Woolrych, stipendiary magistrate of Lambeth, said (766), 'I think persons would get drink somehow, but not to the same extent that they can now get it.' Major Greig positively affirmed (1000), 'I do not think drinking in private houses would be increased.' Captain Palin (1413) remarked, 'It would be increased, but I do not know that it would be increased to any great extent.' Mr. M'Laren, M.P. (2722), did not think that, under the total Sunday closing in Edinburgh, the illicit drinking 'bears any comparison to the amount of drinking that is checked by restriction.' Mr. Enright of Southampton (4446) 'did not apprehend that there would be much illicit drinking; the houses are pretty well looked after.' The fear of one witness, Mr. Staton (7099), that 'persons would get a quantity of liquor in bottles in their houses, and that there would be, in consequence, what we call fireside fuddling going on much to the injury of the rising generation,' was opposed to the opinion of one witness who strongly objected to all restriction, Mr. Waygood (7033), that 'to such men children are such silent monitors they cannot go on with drinking,' that is, in their presence; and another witness, Mr. Freshwater (4926), deposed, 'I believe the working men generally have more love for their own honour than to take a lot of people to drink in their own homes amongst their wives and families; I mean the really respectable working men.' Mr. Johnes, county court judge, expresses himself confidently concerning the effect of further restriction in North Wales: 'If drinking on the premises were put an end to, there would be no secret drinking. I have known that from the experience of the parishes within a short distance of my home, where, by the energetic exertions of temperance societies, the people have become temperate, and the taverns have been got rid of in that way, by a kind of moral suasion. And, in another instance, the land proprietor, Lord Penrhyn, has put them down himself, by exercising his own rights. In neither of those cases have I ever heard of any secret drinking, and I do not believe that it occurs. The only way in which drinking occurs on the part of the inhabitants of those parishes is, when the people go to fairs and markets where there are taverns; they go into the public-houses and become excited with drink.'

"Archbishop Manning (2427) meets the objection in these words: 'I believe that granting great excess and even an abuse in evasions and exceptions, nevertheless, the substantive benefit extending over the whole population, would be sufficiently large to make this Bill, if carried into an Act, a great boon.'

"(6.) The

"(6.) The objection of several witnesses had respect to supposed injury that would be inflicted on burial and friendly societies, the officers of which, in various Lancashire towns, meet on Sunday evenings to make up their accounts and pay over the balances to the treasurers, who are generally publicans. None of these witnesses, however, attempted to prove that this business could not be transacted in the time during which public-houses would remain open, nor did they assign any sufficient reason why at least the paying over the sums received should not be deferred till the following day. Mr. Candelet, when asked by Mr. Roebuck (8530), 'Why should not these institutions meet at a private house?' replied, 'I do not think that that plan would be so successful; I see no objection against their meeting in private houses.' And again (8688), 'If some plan could be propounded to carry out the idea of getting the money to be collected on some other day of the week, I do not mean to say that it is not necessary, or that it would not be useful.' An objection so feebly supported may be concluded to have answered itself, especially as the same witness, when asked concerning Mr. Tidd Pratt's advice to friendly societies not to use public-houses, had nothing better to reply than (8528), 'When his ability is tested, it is found that he knows really and truly nothing at all about the requirements or necessities of these institutions.'

Objections from inferred injury to Friendly Societies.
Reply.

"(7.) The objection to further restriction because of the pecuniary loss to the keepers of public-houses and beershops is, in effect, one of the strongest and most popular arguments advanced to show that great domestic benefit would arise from a different appropriation of the millions of pounds now expended in Sunday drinking. This objection, it may also be noticed, is fatal to the allegation that an equal or greater quantity of intoxicating liquor would be consumed in spite of further restrictions, though in a less public way. There is no question that very many publicans would willingly forego their Sunday profits in order to enjoy the privilege of a Sunday's rest like other tradesmen, if it did not expose them to disadvantage on other days; but, from striking cases of failure to carry out private agreements among themselves, Mr. Bushell (4661), and Mr. Johnes (8760), it is clear that a uniform practice prescribed by law is necessary, in order that publicans generally may be ensured the benefits of this course. To the servants of such persons any diminution of Sunday labour could not fail to be acceptable and advantageous.

Objection from the loss occasioned to publicans.
Reply.

"The conclusions arrived at, after a careful review of the evidence laid before the Committee, may be briefly summed up as follows:—

Conclusions.

"1st. That extended restrictions on the Sunday sale of alcoholic liquors would result in sensible public benefits, including a diminution of drunkenness and crime, and an improved condition of the homes of the people more directly affected by them.

"2ndly. That to realise these benefits no corresponding drawbacks would be incurred, and no serious inconvenience occasioned to the sober and respectable of all classes.

"3rdly. That the restrictions required to obtain these results would be in accordance with public sentiment, and, therefore, that nothing in the way of popular reaction may reasonably be feared.

"Your Committee therefore recommend that in the ensuing Session of Parliament a Bill should be introduced, with a view to legislation of the character here approved."

Recommendation.

Special Report proposed by Mr. Knatchbull-Hugessen, read a first time, as follows:—

"1. Your Committee are agreed that in certain parts of the country, and especially in some of the large towns in the north of England, a considerable feeling exists in favour of further restriction upon the sale of intoxicating liquors on Sundays; that such feeling has been fostered and stimulated by the organization of temperance societies and by constant efforts on the part of the advocates of further restriction; that the existence of such feeling has been proved to your Committee by the evidence of witnesses conversant with the state of opinion in those communities, and claiming specially to represent the working classes, by the reports of various public meetings held upon the subject, and by the returns of many canvasses made in large towns with the view of ascertaining the sentiments of the inhabitants upon this question.

"2. Your Committee would, however, observe that great caution must be exercised in affixing a value to the results of any such canvass. Although no imputations of dishonesty rest upon the canvassers, it has been proved to your Committee that in many instances the canvass has been of a partial nature, and does not adequately convey the real sense of the community whose opinions it professes to represent. Moreover, it is evident that a canvass conducted by persons whose object it is to obtain a particular expression of opinion is not one of a character to command implicit confidence. Therefore, whilst so far admitting the value of such canvasses as to accept them as corroborative evidence of the existence of a feeling in favour of further restrictive legislation among a considerable portion of the community, your Committee are of opinion that no proof has been afforded of such a general demand of that nature as should induce Parliament to disregard those other considerations which lead to a different conclusion.

See questions 108, 16, 367.
643, 671, 833, 877, 1112, 1121.
1267-8, 1317-18, 1461, 1606-
10, 1792, 1831, 1832, 1977.
2009, 2588-9, 3374, 4020, 4456.
4585, 5069, 5233, 5588, 6539.
6556, 6667-89, 6763, 6791.
7327, 7459, 7548, 7748, 7948.
7996, 8146, 8173-8498, 8729.

See questions 359, 648, 917.
1274, 1407-13, 1642, 2371-3.
2386, 2652, 4074, 4680, 5994.
6567, 6634, 6702, 7164, 7341.
7360, 8014, 8027, 8190, 8422.
8537.

See questions 2386, 3983.
7154, 7404, 7529-30, 8109.
8498.

See questions 645, 1090, 6247.
6566, 8498, 8771.

See questions 640, 6566, 6636.
7154, 8061, 8552, 8612.

See questions 2372, 2911-18.
2939, 2991, 4258, 4325, 5025.
5103-10, 5221, 5390, 5473.
5848, 5999, 6094, 6154.
6628-9, 8161.
See questions 640, 8023, 8517.
6624-5.

See questions 9, 23, 347, 480.
633, 672, 852, 974, 991, 1450.
1601, 1665, 1995, 2041, 2367.
3342, 3885, 4051, 4637, 4669.
4773, 4810, 5011, 5061, 5212.
5327, 5411-19, 5563, 6443.
6785, 6837, 7347, 7593, 7757.
7986, 8467, 8501.
Contrary evidence is given in
questions 1303, 1581, 2401.

See questions 3444, 4000.
4056, 4224, 4583, 4868, 6268.
6403, 7601, 7763, 7786, 7986.
8406.

See questions 380, 488, 698.
1459, 1651-7, 1958, 2001.
2807, 2814, 3096, 3289, 3924.
4218-19, 4247, 4330, 4637.
4773-4, 4872, 4897-8, 5010.
5042-4, 5061, 5327, 5418.
5568, 5669-71, 5943, 6139.
6555, 6604-15, 6781, 6798.
6800, 7033, 7231, 7347, 7351.
7756, 7861, 8030, 8468, 8535.

"3. It has been proved to your Committee that a very large number of persons make use of public-houses on Sunday against whom no complaint whatever is alleged, and to whom further restrictions in the direction contemplated by the Bill would be productive of serious inconvenience. And whilst this inconvenience would occasion great discontent among such persons, it by no means follows that a commensurate benefit would result with regard to the class against whom such restrictions would be especially directed. Those who drink to excess form a very small per-centage of the whole number of persons who make use of public-houses upon a Sunday, and it is probable that many of these persons, if deprived of their present facilities for obtaining liquor, would have recourse to drinking in private houses and to other methods of evading the law. For however beneficial may be the results of restriction within certain limits, its enforcement to such an extent as to cause any violent interference with the habits of the people has a tendency to create a discontent which is sure to be followed by evasion, the law is brought into disrepute, and effects are not unfrequently produced the very reverse and opposite of those intended by the Legislature.

"4. It is, moreover, clear to your Committee that there would be great difficulty in enforcing the restrictions proposed in the Bill. Not only would the duties of the police be materially increased, but the duties so imposed would be at once harassing to them and annoying to the public. To the vexed question of 'Who is a *bonâ fide* traveller?' the Bill would add the question, 'What is a *bonâ fide* meal?' and this is only a sample of the difficulties under which the publican would be obliged to carry on his business.

"5. Your Committee would further observe, that the proposed restrictions do not afford any hope of the settlement of the question upon a permanent basis. Most of the advocates of the measure openly avow that they would accept it only as an instalment, and many of them declare their desire to put a stop to the whole retail trade in exciseable liquors. In that trade a very large amount of capital is embarked; and so long as the licensed victuallers and keepers of beershops stand in the position of men carrying on a recognised and legitimate trade, and one moreover subjected to heavy and special taxation, it would be unjust that their operations should be embarrassed, and their property depreciated in value, by constant attempts to impose upon them restrictions which do not appear to be demanded by any urgent public necessity.

"6. Although it cannot be denied that drunkenness, to a considerable extent, both on Sundays and other days, is to be found in this country, yet the admission appears to be general that the present law is working well, and that under its operation a diminution of drunkenness has taken place. From this fact it has been argued that further restrictions would lead to further diminution, but, having regard to the experience of the past, and to the agitation consequent upon the passing of a less stringent measure than the present in 1854, which measure was repealed in the following year, your Committee are inclined to believe that the safe limit of restrictive legislation has been reached, and that further measures in the same direction would be unwise and injudicious. The praiseworthy exertions of the advocates of temperance must not be undervalued. These have, no doubt, materially contributed to the diminution of drunkenness, and simultaneously with these exertions, and the salutary influence exercised by the ministers of religion, the opening, in several of our large towns, of parks and other places wherein fresh air and innocent recreation may be obtained by the working classes upon Sunday, has drawn many of them from public-house associations, and induced them to spend their only leisure day in a manner more advantageous to themselves and to their families. Other causes have likewise contributed to this desirable result.

"7. The concurrent testimony of all the witnesses proves that for many years past there has been a steady, decided, and progressive improvement in the morals, habits, tastes, and manners of the people. The advance of education, the wider diffusion of knowledge, and the moral influences which have been brought to bear upon them, have doubtless all combined to produce this satisfactory result. Regarding, then, this general improvement, and at the same time bearing in mind the fact, that the habits of the upper and middle classes of society are far more temperate at the present day than was the case in the early part of the century, your Committee are of opinion that it is not too much to hope that as the working classes also advance in self-improvement, and are actuated by that self-respect which is engendered by improved education, the vice of drunkenness will gradually disappear without the necessity of coercive measures on the part of the Legislature. In this view your Committee cannot recommend the passing of the Bill referred to their consideration, and would rather trust to the progressive improvement discernible under the present law, and to the further development of those moral influences to which they have already referred.

Motion made, and Question proposed, "That the Special Report proposed by Mr. John Abel Smith be now read a second time, paragraph by paragraph"—(Mr. John Abel Smith).—Amendment proposed, by leaving out the words "Mr. John Abel Smith," in order to insert the words "Mr. Knatchbull-Hugessen"—(Mr. Knatchbull-Hugessen)—instead thereof.

thereof.—Question put, That the words “Mr. John Abel Smith” stand part of the Question.—The Committee divided :

Ayes, 4.
Mr. Baines.
Mr. Hibbert.
Mr. Horsfall.
Mr. John Abel Smith.

Noes, 8.
Mr. Berkeley.
Mr. Evans.
Colonel Fane.
Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. Roebuck.
Mr. Stanley.
Mr. Yorke.

Words inserted.

Main Question, as amended, put, and *agreed to*.

Special Report proposed by Mr. Knatchbull-Hugessen read a second time, paragraph by paragraph.

Paragraph 1, *agreed to*.

Paragraph 2, amended, and *agreed to*.

Paragraph 3.—Amendment proposed, in line 3, by leaving out the words “in the direction,” in order to insert the words “to the extent”—(Mr. *Evans*)—instead thereof.—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided :

Ayes, 5.
Mr. Berkeley.
Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. Roebuck.
Mr. Yorke.

Noes, 7.
Mr. Baines.
Mr. Evans.
Colonel Fane.
Mr. Hibbert.
Mr. Horsfall.
Mr. John Abel Smith.
Mr. F. Stanley.

Words inserted.

Paragraph, as amended, *agreed to*.

Paragraph 4, *agreed to*.

Paragraph 5.—Amendment proposed, at the end of paragraph to add the words “Your Committee, however, believe that it would be advantageous to those licensed victuallers and keepers of beershops who may be desirous of closing their houses on Sunday, if licenses at a reduced rate were to be granted for the sale of liquors on week days only”—(Mr. *Hibbert*).—Question proposed, That those words be there added :—Amendment proposed to proposed Amendment, by leaving out from the word “it” to end of the proposed Amendment, in order to add the words “to be a question worthy of consideration whether it would be advantageous to those licensed victuallers and keepers of beershops who may be desirous of closing their houses on Sunday that licenses should be granted at a reduced rate for the sale of liquors on week days only, but that it is one upon which they have not felt themselves empowered by their Order of Reference to take such evidence as would guide them to a conclusive opinion”—(Mr. *Knatchbull-Hugessen*).—Question, That the words proposed to be left out stand part of the proposed Amendment,—put, and *negatived*.—Words added.—Amendment, as amended, put, and *agreed to*.—Paragraph, as amended, *agreed to*.

Paragraph 6.—Amendment made—another Amendment proposed, in line 8, by leaving out the words “the safe limit of restrictive legislation has been reached, and that further measures in the same direction,” in order to insert the words, “restrictive legislation to the extent proposed by the Bill”—(Mr. *Evans*)—instead thereof.—Question put, That the words “the safe limit of” stand part of the Question.—The Committee divided :

Ayes, 6.
Mr. Berkeley.
Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. Roebuck.
Mr. Stanley.
Mr. Yorke.

Noes, 6.
Mr. Baines.
Mr. Evans.
Colonel Fane.
Mr. Hibbert.
Mr. Horsfall.
Mr. John Abel Smith.

Whereupon the Chairman declared himself with the Ayes.

Amendment proposed, in line 10, by leaving out the words “in the same direction,” in order to insert the words “to the extent proposed by the Bill”—(Mr. *Hibbert*)—instead

instead thereof.—Question put, That the words proposed to be left out stand part of the paragraph.—The Committee divided:

Ayes, 7.

Mr. Berkeley.
Colonel Fane.
Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. Roebuck.
Mr. Stanley.
Mr. Yorke.

Noes, 5.

Mr. Baines.
Mr. Evans.
Mr. Hibbert.
Mr. Horsfall.
Mr. John Abel Smith.

Paragraph, as amended, *agreed to*.

Paragraph 7.—Amendment proposed, in line 14, by leaving out from the word “consideration,” to the end of the paragraph, in order to add the words, “they are, however, of opinion that public-houses and beershops might be closed at ten o’clock on Sunday evening with advantage to the country, and without any serious inconvenience to individuals,” instead thereof—(Mr. *Evans*).—Question, That the words proposed to be left out stand part of the paragraph,—put, and *agreed to*.

Paragraph, as amended, *agreed to*.

Amendment proposed to insert the following paragraph:—“The beneficial working of the Public Houses, (Scotland) Acts, 1854-62, which has been declared by a Royal Commission, and of which evidence has been given before your Committee, does not, in their opinion, establish any proof that a law similar, or approaching it in strictness, would be either acceptable or expedient in England. For even those witnesses who spoke to the success of the Scotch law, admitted that there was so remarkable a difference between the habits of the English and those of the Scotch people in their use of public-houses, that your Committee are of opinion that no trustworthy inference could be drawn from the fact of that success.”—(The Chairman)—Question put, That this paragraph be inserted in the Special Report.—The Committee divided:

Ayes, 9.

Mr. Berkeley.
Mr. Evans.
Colonel Fane.
Mr. Hibbert.
Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. Roebuck.
Mr. Stanley.
Mr. Yorke.

Noes, 3.

Mr. Baines.
Mr. Horsfall.
Mr. John Abel Smith.

Question, “That this be the Special Report of the Committee to the House,”—put, and *agreed to*.

Ordered, To Report.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and Back.	Allowance during Absence from Home.	TOTAL Expenses Allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Captain Palin - -	Chief Constable -	Manchester - -	3	2 14 3	3 3 -	5 17 3
Mr. Jackson - -	- ditto - -	Sheffield - -	3	2 9 3	3 3 -	5 12 3
Mr. George Glossop -	- ditto - -	Birmingham - -	2	1 17 6	2 2 -	3 19 6
Mr. Thomas Avery -	Mayor of Birming- ham.	ditto - -	-	1 17 6	- -	1 17 6
Mr. Darnton Lupton -	Gentleman - -	Leeds - -	4	3 - -	4 4 -	7 4 -
Rev. E. Jackson -	Clergyman - -	ditto - -	4	3 - -	4 4 -	7 4 -
Mr. G. Walker - -	Working Man -	ditto - -	4	2 4 -	2 - -	4 4 -
Mr. S. G. Jowett -	Superintendent, Town Mission.	Bradford - -	6	2 14 -	6 6 -	9 - -
Rev. Verner M. White, LL.D.	Clergyman - -	Liverpool - -	3	3 2 6	3 3 -	6 5 6
Mr. John Smith El- dridge.	Solicitor - -	Southampton - -	2	2 12 -	4 4 -	6 16 -
Mr. Jn. Thomas Enright	Late Superintendent, Police.	ditto - -	2	1 2 6	2 2 -	3 4 6
Rev. J. Slather - -	Clergyman - -	Sheffield - -	3	2 17 -	3 3 -	6 - -
George Freshwaters -	Working Man -	Bedford - -	2	- 15 -	1 - -	1 15 -
Rev. T. De Vine -	Clergyman - -	Newcastle, Staffordshire	3	2 11 -	3 3 -	5 14 -
Mr. Samuel Elliott -	Wine Merchant -	Plymouth - -	4	5 11 -	4 4 -	9 15 -
Mr. J. Staton - -	Editor - -	Bolton - -	4	2 16 -	4 4 -	7 - -
Captain Segrave - -	Chief Constable -	Wolverhampton -	6	5 5 -	6 6 -	11 11 -
Mr. J. Wybergh, jun. -	Attorney - -	Liverpool - -	6	4 - -	12 12 -	16 12 -
Mr. Michael Beal -	Jeweller - -	Sheffield - -	3	2 10 -	3 3 -	5 13 -
Mr. John Wilson -	Master Grinder -	ditto - -	3	2 10 -	3 3 -	5 13 -
Mr. William Aitkin -	Schoolmaster -	Ashton-under-Lyne -	4	3 12 -	4 4 -	7 16 -
Mr. Joseph Henshall -	Estate Agent -	W. Gorton, Manches- ter.	4	3 11	4 4 -	7 15 -
Mr. Joseph Wadhams -	Maltster - -	Birmingham - -	3	2 5 -	3 3 -	5 8 -
Mr. W. Rea - -	Currier - -	Stockport - -	4	3 4 -	4 4 -	7 8 -
Mr. J. Candelet - -	Accountant - -	Manchester - -	3	2 4 -	3 3 -	5 7 -
Mr. Thomas Page -	Wine and Spirit Mer- chant.	Liverpool - -	3	2 7 6	3 3 -	5 10 6
Rev. E. Mathews -	Clergyman - -	Bristol - -	2	1 18 -	2 2 -	4 - -
				TOTAL - -	- £.	174 2 -

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MINUTES OF EVIDENCE.

Wednesday, 22nd April 1868.

MEMBERS PRESENT:

Mr. Baines.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Horsfall.

Mr. Locke.
Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

Sir RICHARD MAYNE, K.C.B., called in; and Examined.

1. *Chairman.*] You are, as we know, Chief Commissioner of Police?—Yes.

2. Are you aware of the Order of Reference to this Committee?—Yes.

3. And that it is somewhat analogous to that on which you gave evidence in 1855 before this House?—Yes, and in 1853, and also in 1849, before a Committee of the House of Lords.

4. I will now call your attention to the evidence which you gave in 1855 before the Select Committee on the Sale of Beer Act; your evidence on that occasion was chiefly directed to the operation of the Act which had been passed in the previous year, which was called, I believe, “Colonel Wilson Patten’s Act”?—Yes; the Acts of the 17th and 18th, and the 18th and 19th of Victoria.

5. And in so giving evidence you expressed your opinion upon the results of the restrictive powers established by the Act of 1854?—Yes.

6. Generally speaking your opinion was favourable, was it not, to the removal of some of those restrictions?—It was.

7. The present Bill, in principle, is similar to the Act of 1854, is it not?—I think it goes further than that; I have not compared them exactly.

8. But the principle of the Bill, in restricting the hours during which public-houses may be open on Sunday, is similar, is it not, to that of the Act of 1854?—Yes.

9. Will you tell the Committee what has been your experience, since the year 1855, of the working of the law, which was changed after that year, reverting to the Act of George the 4th?—My opinion is that that Act has worked very favourably, and been useful in diminishing drunkenness, and the increase of order, generally, in consequence throughout the Sunday, especially 0.69.

Sunday evenings; I am referring to the Act of the 18th and 19th of Victoria, the existing Act.

10. Can you furnish the Committee with facts or statistics of the drunkenness occurring in the metropolis, similar to those with which you furnished the Committee of 1855?—I can. I have with me returns for each year from the year 1831, which was the first year when the returns were made in any regular form, one year after the establishment of the police up to the last year, 1867.

11. Will you be good enough to state the substance of those returns, and afterwards to put them in?—For the first three years, commencing in 1831, that is to say, 1831, 1832, and 1833, the superintendents were allowed, by a sort of regulation, to dismiss cases of merely drunkenness, without taking them before a magistrate; and it is so specified in the return; and the number of persons apprehended during those years, or rather, I should say, taken care of by the police, was much greater; in short, the number that the police interfered with was much larger in those years than in any subsequent year. Since that time the numbers were diminished considerably, but they were larger, and especially with reference to the increasing population, much larger than at present.

12. Since what year?—Since the year 1833; as for instance, in 1835, 1836, 1837, 1838, and 1839 they varied from nearly 22,000, with a few hundreds only of difference.

13. Mr. John Abel Smith.] Do you keep those returns in the form which you have adopted lately, distinguishing between drunkenness and drunkenness with violence, and do those returns include both, or are they separate?—They are given separately, and the totals as well.

A

14. Do

Sir
R. Mayne,
K.C.B.
—
22 April
1868.

Sir
R. Mayne,
 K.C.B.
 22 April
 1868.

14. Do the totals include both classes?—Yes, both; in the earlier returns they are shown year by year to vary, as I have said, from about 19,000 in the year 1834 to 20,000, and so on down to 16,000 in 1840. If we take the last 10 years, for instance in the year 1858, the total number of cases of drunkenness merely and drunk and disorderly was 20,829. In 1864 the numbers were 18,781, and in 1867, 16,941; there are occasional differences of the numbers that, perhaps, are not to be accounted for by any reason that occurs to me. I mention 1864 specially, because that was under the Act regulating the hours of closing public-houses at night, namely, one o'clock on five nights of the week, Monday, Tuesday, Wednesday, Thursday, and Friday; Saturday at 12 o'clock, and Sunday at 11 o'clock; and that is the present law as to the hours of closing at night. Since that Act was passed I think, certainly, looking to the increase of the population especially, the numbers have diminished, and still more the cases of disturbance, and the disorderly consequences of drunkenness.

15. Mr. *Locke*.] Could you give us the title of that Act?—It is the "Public-house Closing Act, 1864;" the first Act was passed the 25th of July 1864, the 27th and 28th of the Queen, chapter 64, entitled, "An Act for further Regulating the Closing of Public-houses and Refreshment-houses within the Metropolitan Police District, the City of London, and certain corporate towns, boroughs, and other places;" in the corporate towns, and boroughs, and other places, it was left optional to them to adopt the Act or not. That Act was amended in the following year, by the 28th and 29th of the Queen, chapter 27, and the principal alteration in that Act, I think, was that whereas the power to grant exceptional licenses had been given by the Act of 1864 to the superintendents of police in boroughs, it was taken from them, but within the metropolitan district it continues the same; that is to say, the power of granting exceptional licenses rests with the Commissioner, but in other places with the magistrates; and likewise in the second clause a power was given to the magistrates to grant to any licensed victualler or keeper of a refreshment house, whose place of business is in the immediate neighbourhood of such market or calling, or the place where persons follow such lawful trade or calling, a license exempting him from the provisions of the hereinbefore mentioned Act, between the hours of two and four o'clock in the morning; but that Act within the Metropolitan Police District has hardly had any operation. I think that in two cases only were licenses granted by the magistrates, and I believe at the present moment there is not any, but there never were more than two.

16. *Chairman*.] Was not that Act passed to relieve certain trades which required nightwork, and is it not taken advantage of in the case of printers?—As far as I remember, at this moment I do not believe that there is any exception, but I can ascertain that, certainly. I was told, in fact, that it was not necessary. I will give a return on that point, but I think there were never more than two cases of licenses granted in the metropolitan district; one of which was in the neighbourhood of Covent Garden; what may be the case within the City I do not know.

17. Within your jurisdiction it was not found necessary?—I think, practically, that was so;

there were not more than two licenses granted in any case, as far as I remember now; and I believe that at the present moment there is not any.

18. According to the figures which you have stated to the Committee, there had been a progressive diminution in drunkenness even down to the passing of the Act to which you are now referring?—Looking at the increase of the population, there has been; but the figures are curiously the same in the actual amount from the very first; at least, from the year 1833, when the alteration was made as to the discharging; for instance, in the year 1834 there were 19,000 persons, and in the year 1865 there were nearly 19,000. I omit some small numbers; but upon looking at the increase of the population, that may be taken, I think, to be a considerable decrease.

19. Mr. *Roebuck*.] You put it in this way, that the number of drunkards was the same, but the population that they came from was much larger?—Yes; a greater proportion of the population is sober. I beg leave to hand in those returns. (*The same were delivered in. Vide Appendix.*)

20. *Chairman*.] In the year 1855 you gave returns for the six months of each year, and the number of persons taken up for drunkenness at that time was about 13,000 in six months in a population of 2,500,000?—Yes.

21. That would show a greater actual number and a still greater relative number than what you have now given, would it not?—I forget at this moment why it was taken for six months; perhaps it was the time that the Committee was sitting; and having given it for that year, I took it for the corresponding periods for previous years.

22. Mr. *John Abel Smith*.] Thirteen thousand in six months would of course be more than 19,000 in the year?—Yes; I suppose they were the more drunken months; but I forget at this moment how it was, but I have no doubt that the returns were accurate.

23. *Chairman*.] The general returns which you put in you describe as showing a continuous decrease in drunkenness, having regard to the increase of the population?—Decidedly so; and I think most strikingly so since the Act of 1864.

24. Mr. *Roebuck*.] Can you tell us whether there is more tipsiness in the summer months than in the winter months, or *vice versa*?—I think it is more in the summer months; the hot weather perhaps has an influence in that respect.

25. Mr. *Hibbert*.] Is there any column in those returns showing the number of drunken cases on Sundays?—I have got another return which will show that.

26. Mr. *John Abel Smith*.] Have you drawn a distinction there, as you did in one of your other returns, between the men and the women?—Yes, there is a distinction between males and females in the return which I will put in; the females, I think, have been rather increasing in proportion.

27. Last year they were very nearly one half, were they not?—Last year they were much more than half the number of the males; there were 9,103 males, and 7,338 females.

28. *Chairman*.] You stated just now, did you not, in answer to one of the honourable Members, that you have separate returns relating to the cases of drunkenness, which would have especial reference

reference to the subject of this Committee, namely, to those taken up for drunkenness on Sunday?—I have, and I will read them. I have a return with reference to Sunday made out for two different periods of hours, the one for 24 hours from 12 o'clock at midnight on Saturday to 12 o'clock at midnight on Sunday during the year 1866, and at that time the average on Sunday was far higher in that mode of taking the numbers from 12 at midnight on Saturday to 12 at midnight on Sunday; but I thought that it was not fair towards Sunday, inasmuch as a great many of the cases would be those of drunkenness on the Saturday night, and accordingly I had it taken out in another way.

29. Will you state the average in 1866, which you thought unfair?—I will state the figures; they are 97 on Sundays, on an average, against 42·6 on week-days, that is, from 12 o'clock, on Saturday night to 12 o'clock on Sunday night; but, as I said, I thought that that was not fair towards the Sunday, inasmuch as it would take in a great number of drunken cases on Saturday evening.

30. Mr. Locke.] You mean that they began to get drunk before 12 o'clock on Saturday night, and were taken into custody on Sunday morning?—Yes, and accordingly I had it made out in another return, which I will hand in, from four o'clock, a.m., on Sunday, so as to get clear of the cases of Saturday till four o'clock, a.m., on Monday, giving, in the same way, 24 hours. That return shows, as I believe is certainly the fact, very favourably, indeed so favourably for Sundays that there is not quite one-half the drunkenness on Sundays that there is on the other days; for instance, the average is 25 on Sundays, from four o'clock, a.m., to four o'clock, a.m., on Monday, and 50·1 on the week-days. It is an average of the whole number, as nearly as we can arrive at it. I will beg leave to hand in those returns (*delivering in the same, vide Appendix*).

31. What is the gross number of which that is the proportion?—16,941; that is, during the year 1867; the other number was 1866.

32. Do you mean that 16,941 was the total number of drunkards altogether in that year?—Yes.

33. That was the total number of cases of persons charged with drunkenness on Sunday?—I have not taken it in that way; but I have taken the proportion of them, deducting the six days for the whole number, and that gives an average for the Sunday of 25, and for the week days of 50·1; therefore the Sunday cases are rather less than one-half.

34. Mr. Horsfall.] Are those the cases of convictions for drunkenness?—No, of apprehensions, of persons in custody.

35. Chairman.] Can you state whether the numbers on Saturday vary from those on the other days in the week?—I have not got a return made out upon that point, but I believe there is no doubt whatsoever that the number is much larger on Saturday.

36. Mr. Roebuck.] That being the day when, in fact, the working men get their wages?—Yes, and they are idling; they have the day before them, when they are not required to work.

37. Have you ever heard whether there has been any increase of drunkenness since the prevalence of the half-holiday on Saturday?—I have not looked at it in that way.

38. Chairman.] Then it is not your opinion, 0.69.

is it, that drunkenness has increased at all in consequence of the extension of the hours in the Act of 1855, Mr. Berkeley's Act?—The previous Act having been in force only one year, it would not have been easy, or perhaps possible, to make any fair estimates of its effects; but taking the period now of 13 years since it was passed, it has, I think, worked beneficially, and it has been very considerably relaxed by the decisions of the courts as to travellers. For instance, everybody, I believe, who goes from one street to another is considered now a traveller.

39. Is the distinction virtually abolished as to *bonâ fide* traveller?—No, it is retained very extensively. In one case, where a man had been in the habit of going to Hampstead by omnibus for so many years and dining at "Jack Straw's Castle," the court held him to be a *bonâ fide* traveller; and I rather think there have been other cases which have gone further, where a person who has gone from one part of the town to another part of the town has been held to be a traveller.

40. Previous to that, some magistrates refused, did they not, to allow the claims of *bonâ fide* travellers even to persons who went a considerable way down or up the river?—Yes.

41. In the way you have mentioned the severe restriction in the sense of a man not being a *bonâ fide* traveller is greatly done away with?—That is so.

42. Can you state whether, in your opinion, the diminution of drunkenness in London has been much affected by the increase of the practice of taking excursions on the Sunday?—I have no reason to say that it has.

43. Mr. Roebuck.] Have you any reason to say that it has not?—My own impression is that it would have that effect; that it has diminished the drunkenness. A great number of persons that I think used to remain in public-houses drinking now go to Greenwich, Richmond, and other places. I know that it is the prevalent police belief, and it is my own, that that has tended to diminish drunkenness and also to create better conduct on the part of the people.

44. If the whole number has diminished in London, have you any reason to know whether it has increased in the suburbs to which people go in these excursions?—There is a division in our return which would include such places, for instance, as Islington, which would take in Highbury Barn. There were 71 cases in that year; and the Camberwell division will include Dulwich, for instance, and the Crystal Palace.

45. Are those places to which excursion trains run?—Yes, and likewise to Greenwich.

46. Have you any idea of the increased number of persons who are taken by excursion trains, say, for example, to Dulwich?—I have not got that return, but I dare say I could get it, or the railway authorities could give it.

47. Chairman.] Do your returns from the division in which Richmond is, show any increase of drunkenness or otherwise in that division?—The numbers, as I understand, are much smaller there than in the town: for instance, I will take Covent Garden, which includes Covent Garden properly so called, where the population is 92,000, as calculated in that division, and there the number of drunken cases are, 83 drunk and disorderly, 27 drunk and incapable, making 110 in that division. I will take a division including places where excursions go, for instance, Greenwich, 2

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wich, which includes Woolwich, Blackheath, Lee, Lewisham, and such parts, where the population is 224,000 as against 92,000, more than double the population of Covent Garden, and I find that the drunken cases in Covent Garden being, as I said, 110, in Greenwich they are only 83. The number of public-houses in Covent Garden is 270, and 32 beershops; whereas in the Greenwich division there are 481 public-houses, and a very large proportion of beerhouses, namely, 313; so that the number of drunken cases is much less in proportion, in spite of the greater number of both the focuses of drunkenness, namely, beershops and public-houses.

48. *Mr. Roebuck.*] And in spite of the increase of their population by excursion trains?—Yes; that number includes every person found drunk there.

49. *Mr. Horsfall.*] Have you any means of knowing whether the greater number of cases of drunkenness originate in the beer-houses or in the public-houses?—I cannot say; I have not got that information here.

50. *Mr. Locke.*] Would the licensing magistrates have it, do you think?—I think not; it could be got from the police courts. It would be a return of a good deal of detail; but if the Committee wish it, I could have it made out.

51. *Mr. Roebuck.*] But I presume that in the case of every person who is taken up for drunkenness, a statement is made to the magistrate of whence he came and where he got drunk?—Yes.

52. Would not the records of their conviction or their trial tell whence the people came?—Yes, they would; but those are stated upon what we call the police charge sheets more collectively than at the magistrate's court, but either should give them, and if the Committee wish it I will have such a return made out.

53. *Mr. Frederick Stanley.*] Is it not possible that a person should go from one house to another, and that in such a case the name entered upon the charge sheet would probably be the last house at which the person was?—That might be so certainly; but I think it would be quite accurate as to the place where he was found drunk.

54. But that might have been the place where he did not get drunk, but where he was merely found drunk by the police?—That might be so.

55. *Chairman.*] Are the police now strict in enforcing conformity with the Act with reference to the hours for closing?—Quite so. Of course, there are continual evasions of the law, and continually cases before the magistrates; but I believe that the police honestly discharge their duty. I have complaints sometimes made that they do not, but I have never found any reason to believe that they do relax.

56. According to your orders they look closely into the observance of the law?—They do so.

57. Can you state to the Committee what has been the number of offences in that respect which have been brought before the magistrates?—I have not got a return here of offences against the Public House Closing Act, but I can make it out easily.

58. Will you give the Committee a return as well with reference to Saturday night as to Sunday night; because if they passed the hour of 12 on Saturday night the offence would be the same thing?—I will have a return made out for Saturday night and Sunday night.

59. *Mr. Roebuck.*] Could you also, without

any great difficulty, have it for the middle of the week; we will say Wednesday?—Yes.

60. *Chairman.*] And will you procure for us the daily average for the whole week?—Yes.

61. *Mr. Baines.*] Will you have the goodness to state to the Committee what is the difference in the number of hours that the public-houses are open in those days which you compare together, namely, the number of hours from four o'clock on Sunday morning to four o'clock on Monday morning, that the public-houses are open, and from four o'clock on any other morning to four o'clock on the morning following?—On Sundays the public-houses are not open till one o'clock in the day; they are open from one till three, and then from five till eleven; that is to say, eight hours only on Sunday.

62. At what hour are they opened on Sunday morning?—At one o'clock. They are closed at 12 o'clock on Sunday night, and not opened till one on Saturday forenoon; then they are opened from one to three, and from five to eleven, making eight hours.

63. What number of hours does that compare with on the average of days from four o'clock in one morning to four o'clock in the following morning?—It compares with 24 hours on the other days, because on five days in the week they are closed from one till four, which takes three out of the 24 hours.

64. You have to deduct three hours from the 24, leaving 21 hours?—Yes; and on Saturday night four hours, leaving 20 hours.

65. So that you have to compare the eight hours of the public-houses being open on Sunday with the 21 hours of the public-houses being open on the other days?—Yes; with 21 on other days, and 20 on Saturday.

66. *Chairman.*] Do your returns show the number of persons taken up drunk in the fore part, and in the after part of the day?—These do not; but of course the time at which every man is brought to the station house is entered upon the charge sheet, so that I could show that.

67. Could you state from your knowledge whether the number of persons is very much greater in the after part than in the earlier part of the day?—I believe that the number is very much greater in the after part.

68. Is it the case that the portion of Sunday in which the public-houses are opened is that during which the greater number of drunken cases occur on the week day?—Yes; I think so; in the afternoon, or the evening, and in the night there are the greater number of drunken cases, both on Sundays and week days.

69. Practically you think that the hours for closing are generally observed, so that the result of the law may be fairly taken to correspond with the requirements of the law?—There is a continual struggle no doubt, to evade it, and to a certain degree successfully. Every Sunday it is necessary to have a number of police to watch the public-houses where it is known that the law is evaded; and the law is evaded also in this way, that they take beer into houses at the back, and into court yards and into small houses near; and to prevent evasions of the law in that way, if it were desirable to do it, I think that the law might be made more stringent.

70. Is it your opinion that the hours during which public-houses may be opened on Sunday might be shortened without inconvenience to the public?—That is a large question.

71. For

71. For example, might they close at 10 at night without serious inconvenience to the public; or is the hour from 10 to 11 taken advantage of to a great extent by persons who would not find the hours before 10 equally convenient?—It is, I think, considerably used; but looking at the privileges of the railway places of refreshment, and knowing that travellers coming by railway may get refreshments at any time, I am not prepared to say that it is necessary to give them that hour between 10 and 11.

72. In 1855 it was your opinion, was it not, that it would be for the convenience of those who had urgent occasion to resort to a public-house that the hours should be extended to 11, and you did not think that such a change would be objectionable?—I do not think that it produces very much effect, but I think that the necessity for that additional hour between 10 and 11 is not so great now as it was before the passing of the law which authorised the railways to supply refreshments. A great number of persons arrive by railway between 10 and 11 who could not have got refreshments at that time, and who can now, because in the Public-house Closing Act there is an exception of the railway refreshment rooms.

73. Is it your meaning that the persons arriving by railway would find the refreshment rooms on the lines open after 10, or do you mean that they would be able to refresh themselves before their return to town, and therefore they would not require to go to a public-house afterwards?—My meaning is this: that if they can get refreshment in the railway refreshment rooms on arriving in town, as well as at each station, the necessity for the public-houses generally being opened is not so great.

74. Mr. Locke.] When is the refreshment room at the railway closed; is it closed at the same time as the public-houses?—No, I think it is not closed at all, if I remember rightly.

75. Can they sell wines and spirits at any time?—Yes, there is an exception in their favour. In the Act of the 27 & 28 Vict. s. 64, the first Act, which is still in force, called the "Public-house Closing Act, 1864," there is this exceptional provision in Clause 10, "Nothing herein contained shall apply to the sale at a railway station between the hours of one and four in the morning" (which is the only time that the other public-houses are restricted from selling) "of excisable liquors or refreshments to persons arriving at or departing from such station by railroad."

76. How would it be in the case of a person arriving at 10 o'clock at night by railway on Sunday night, supposing you made the alteration restricting it to 10 instead of 11; would a person arriving at a station in London by a railway be entitled to ask for, or would the railway be enabled to give him refreshment in wines or spirits in that sense after 10 o'clock?—By the present law he may get refreshment on Sunday night at any public-house up to 11.

77. We will take it at 11, as it is now; how does this clause apply to a railway; can they give any refreshment at a railway station after 11?—I think not, according to this Act; there is no exception, I think, between eleven and one.

78. Is not the license to a station at a railway, precisely the same license as it is to a public-house?—Yes, but at the same time there is an exception between one and four in their favour.

79. Chairman.] How is it with regard to Sunday night?—With regard to Sunday night, 0.69.

it would appear that they are precluded from supplying between eleven and one. It never occurred to me before, but looking at this Act now, it seems to be so, because this exception, I see, is worded in this way. "Nothing herein contained shall apply to the sale at a railway station between the hours of one and four o'clock in the morning."

80. That is an exception on weekdays which is made in favour of persons travelling by railway, but on Sunday, precisely the same law applies to refreshment on a railway, as does to an ordinary public-house, does it not?—I should think not; it appears here that even between one and four o'clock on a Sunday night, or a Monday morning, they might sell. It seems to me now that between eleven and one on the Sunday night they are precluded equally with others, but that the other houses must not open till four, whereas the railway may open at one, as it appears to me from this.

81. Mr. Locke.] Supposing you altered it from 11 to 10, the same rule would apply after 10 as is now applied after 11, and therefore between ten and one; supposing the other Act remains in the same situation, no refreshment whatever could be given at the railway station?—Not unless to a *bonâ fide* traveller.

82. Chairman.] But no person is supposed to be on the station premises taking refreshment, except a traveller, is he?—That supposition is not correspondent with the fact; a great many are there.

83. Mr. Locke.] Then it must necessarily follow that the policeman or whoever it was that interfered, would have to establish the fact that the man did not come by railway, and if the policeman could show that the man had walked into the station merely to get refreshment, then the person who furnished him with it would be liable to a penalty, would he not, if he gave him refreshment after 11 or after 10, supposing the time was altered to 10 o'clock?—I believe so, according to the decision of the magistrates; and it would appear to me, looking at this Act now with that view for the first time, that anybody can get refreshments at a railway station beyond one and four in the morning.

84. That you say is specially provided for between the hours of one and four, but that does not apply to 11 o'clock on Sunday night, which is different legislation from that with respect to any other night; and what I want to know is this, taking it as the law at present exists, whether or not the person who keeps a refreshment room at a railway station is not precisely in the same position as a publican keeping a house outside it; that is to say, whether, if he gives refreshment in fermented liquors after 11 o'clock and before one, he would not be liable to a penalty?—It does appear to me to be so.

85. Therefore if you altered it to ten the consequence would be that the opportunity of obtaining any refreshment when they came to the end of their journey would be entirely debarred to any person travelling by railway?—Yes, between eleven and one now, or between ten and one in the case supposed.

86. Then all refreshment must cease at ten o'clock, whether it be upon a railway or whether it be at an ordinary public-house?—It appears to me to be so.

87. Chairman.] My question had not reference only to travellers; the Act of 1854 was repealed,

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repealed, and the hours were again extended to those provided for by the Act of 9 Geo. 4?—Yes.

88. Mr. Locke.] The Act of 1848, the 11 and 12 Vict., c. 49, s. 1, is still in force, is it not?—Yes, that section enacts, that no licensed victualler or other person shall open his house for the sale of wine, spirits, beer, or other fermented or distilled liquors, or sell the same on Sunday, Christmas-day, or Good Friday, or any day appointed for a public fast or thanksgiving, except as refreshment for travellers, before half-past 12 o'clock in the afternoon, or where the morning Divine service in the church or principal place of worship of the parish or place does not usually terminate by that time at an earlier hour than was then allowed by law, that was one o'clock, but it says that this shall not apply to the metropolitan police district.

89. Will you look at Section 2 of that Act and state what are its provisions?—That provides against keeping house open or selling beer, or suffering the same to be drunk before one o'clock on Sunday.

90. The 11 & 12 Vict. repealed that, and therefore the 11 & 12 Vict. brought it back to the same thing as the 9 Geo. 4, did it not?—I think so.

91. The 3 & 4 Vict. had altered it to that extent, fixing the hour to one o'clock, but it was brought back to the 9 Geo. 4 by the 11 & 12 Vict.?—I do not think that by the 9 Geo. 4 there was that prohibition.

92. The Licensing Act, the 9 Geo. 4, c. 61, made the time of opening eight hours, from one till three, and from five till eleven; that is precisely the same number of hours as it is under the 18 and 19 Vict.?—I do not remember any hour being mentioned.

93. It mentions public worship, does it not?—Yes, that was the law during the hours of public worship; but, in fact, that Act became impracticable in London for this reason, that a parish had one hour of divine service at one side of the street, and a different hour at the other side, and especially in the afternoon, so that virtually in the afternoon the Act of the 9 Geo. 4 was inoperative.

94. Chairman.] Then it was really the Act of 1855 that restored the law in principle to that of the 9 Geo. 4, and which defined it?—Very much so, covering the whole time till one o'clock in the forenoon of Sundays.

95. Mr. Locke.] That is covered by the 11 & 12 Vict., is it not?—Except that that was to half-past 12, and the 18 & 19 Vict. applied over the whole kingdom.

96. You see the 18 & 19 Vict. c. 118; only applies to the afternoon, but the law with respect to closing up to one o'clock on the Sunday is by a former Act, and I will refer you to the case of Taylor, appellant, and Humphries, respondent. You will find in that case that the 11 & 12 Vict. c. 49, is not repealed by the subsequent statutes, of the 17 & 18 Vict. c. 79, or the 18 & 19 Vict. c. 116, as was supposed in the case of the Queen v. Whiteley in 3 Hurlstone and Norman's Reports, page 143, but still regulates the closing of houses for the sale of wines, spirits, beer, or other fermented or distilled liquors during the morning service. The 18 & 19 Vict. c. 118, applies only to the afternoon service, and therefore the law as to closing during the morning service, which is usually said to be

till half past 12, still applies, and therefore one o'clock is taken to be the hour that is provided for by the 11 & 12 Vict., but the 18 & 19 Vict. is now the Act in force with regard to the afternoon?—Yes.

97. Therefore you may take it that the hours are from one till three, and from five till eleven, during which the house may be open?—Yes.

98. The 17th and 18th of Victoria, chapter 79, section 1 (that is Mr. Wilson Patten's Act), made a restriction, and the restriction was this: that a house might be opened from one till half-past two, and from six to ten; therefore it took an hour off from five to six, and it left five and a half hours for the house to be open; and this Bill, which is before the Committee, would allow a house to be opened for three-and-a-half hours; is it correct that the period during which public-houses may be open by the last Act, is eight hours?—Yes; that is to say from one to three in the afternoon, and from five to eleven in the evening; but perhaps you will allow me to say that my law is confined to the metropolitan police district, and by that law the public-houses were closed until one o'clock. By the Police Act, the 2 & 3 Vict. c. 47, s. 42, no licensed victualler, or other person, shall open his house within the metropolitan police district for the sale of wine, beer, spirits, or other fermented or distilled liquors on Sunday, Christmas-day, and Good Friday, before the hour of one in the afternoon, except for the sale of refreshment for travellers.

99. That clears up the difficulty about the half-hour, namely, from half-past twelve till one, which in the country now I suppose is regulated by the morning service, which is taken to end at one; is not that so?—It is not in these words; it is until one now generally; it used to be until half-past 12.

100. But still, in the country, they are under the 11 & 12 Vict., are they not?—Yes; I believe so.

101. Under that Act the opening commences at half-past 12, but in London you say that the 2 & 3 Vict. enacts, distinctly, that the public-houses shall be closed till one o'clock?—Yes.

102. Mr. Hibbert.] Is it not the fact that, owing to the difficulty of divine service terminating at different times in London, that Act of 2 & 3 Vict. was obtained, and that Act required the public-houses to be kept closed till one o'clock in the metropolitan district?—Yes.

103. And was not an Act also passed for the City of London the year after, which closed the public-houses to the same hour?—Yes; the City Act was merely a transcript of this Act.

104. The following year, 1843, the Liverpool people came for an Act, and they also applied, did they not, the same hours as were applied in the metropolitan district; that is to say, the houses were closed in the morning until one o'clock?—I am not aware what was the case in Liverpool; I only know that the general law was, as Mr. Locke has stated, that in the country, out of the metropolitan district, the closing hour in the morning was until half-past 12; and that in the metropolitan district, since the 2 & 3 Vict., which was in the year 1839, they were not allowed to open until one o'clock.

105. The metropolitan district is under the Act of the 2 & 3 Vict. c. 47, is it not, with regard to the morning part of the day?—Yes.

106. And,

106. And, therefore, they close up to one o'clock?—Yes.

107. But the country districts are under the Act of the 11 & 12 Vict., by which they close up to half-past 12?—I am not so certain about that; but I believe that is so. But my knowledge upon these matters is principally confined to what is in operation in the metropolitan police district, and in that district the hour of closing is from 12 o'clock on Saturday night until one o'clock on Sunday mid-day, and then they open from one till three and from five till eleven.

108. *Chairman.*] It was not merely with reference to travellers that I asked you whether you thought that the hours of opening might be still further shortened without hardship, but with regard to the metropolitan district; is it your opinion that the law might now be again changed in the direction of restriction?—My general objection to restrictions of this nature is that they apply so partially to the different classes of the community; to the lower classes it is certainly a much greater privation to be unable at any time of the day to go into a public-house or a beerhouse, than it is to the middle or upper classes. We have houses, or clubs, or places where we can get what we want; but if the public-houses are closed, the people of what we may call generally the lower classes, have no places where they can get refreshment.

109. In your opinion, was the Act of 1854, Mr. Wilson Patten's Act, repealed because the restrictions imposed by that Act led to complaints?—I believe that was the fact; I heard it continually, and I remember that pieces of plate, and votes of approval were presented to Mr. Berkeley for his more liberal legislation.

110. *Mr. Horsfall.*] Were those complaints from the labouring classes, or from the licensed victuallers?—I have no very certain or specific grounds for the opinion, but my opinion generally is that there was a complaint made by licensed victuallers; I dare say principally and prominently by them, but also the law operated no doubt in depriving the more numerous of the lower classes of the means of getting what to many was a reasonable refreshment.

111. *Mr. John Abel Smith.*] Do you know anything about the complaints?—I could not give any specific instances now, but I understood generally that it was so; in fact, I understood that that was the foundation of the Committee being appointed.

112. *Chairman.*] You stated before the Committee of 1855, Mr. Berkeley's Committee, that you thought that the restriction to 10 o'clock at night was felt as a hardship, and that the hour might be extended to 11 without objection?—So I thought; between 10 and 11 is a time when many people are walking about and coming home, and they want refreshment, and I thought 11 was a more reasonable hour to go to bed. There is no specific line to be drawn; I could not give any very distinct reasons for its being 11 more than 10, except that generally people would be getting home to their beds, and would not want refreshment at 11, when they might want it between 10 and 11.

113. This is the evidence which you gave to the Committee in 1855, in answer to Question No. 1117: the question was, "You seem to recommend that the law should be so far relaxed that the hours should be extended from 10 to 11?" And your answer was, "11 or 12 o'clock;

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I do not think it signifies very much which. My impression rather than opinion is, that closing between half-past two and six causes such an amount of inconvenience to a very numerous class, that the advantage is not an equivalent." What I ask you now is, whether you think that a similar restriction could be again imposed without causing a similar inconvenience to that which you at that time described?—I do not remember my answer, but it seems to apply rather to the afternoon than to the night; I think it would be inconvenient to impose a restriction closing the houses till six.

114. The Bill before the Committee proposes that the houses should be closed from half past two until eight in the afternoon, and from 10 until 11 in the afternoon; those restrictions at least correspond, do they not, to those to which you were referring in the answer which I have read?—Yes.

115. Is it your opinion that any part of those restrictions could be imposed without inflicting an inconvenience, which, as you said in 1855, would be more than equivalent to the advantage?—Really I think so, because I dislike restrictions to so great an extent; I should say again that I have a general impression that restrictions are evils, and I think that under the present law there has been a great improvement.

116. *Mr. Roebuck.*] Having in your mind the answer that you gave in 1855, has increased experience led you to change your opinion?—No, I am not aware of any sufficient ground to justify any additional restriction. One laments the number of drunken people that there are on Sundays, but I think the closing the houses against all for the sake of protecting those who might escape drunkenness thereby, would operate to produce a far greater amount of inconvenience.

117. *Chairman.*] You regarded the inconvenience to be chiefly felt on account of the restrictions on the afternoon hours which had been imposed in the previous year?—That was so.

118. The inconvenience from closing at 10 instead of 11 would be less, would it not?—Yes.

119. But do you think, from your experience, that the drunkenness on Sunday evening would be much diminished by closing at 10 instead of 11?—It is difficult to say; I should think that people who are sober up to 10 are not very apt to get drunk between 10 and 11 on Sunday; but if they are half drunk at 10 they might get more drunk between 10 and 11.

120. With regard to the facility of carrying out the law, is it your opinion that the placing any further restrictions upon the hours during which public-houses are open to the public on Sundays, would lead to serious discontent in the metropolis?—I think it would lead to a considerable amount of discontent; and there is also this to be considered with regard to all restrictions, that they lead to an evasion of the law in a way that it is almost impossible to prevent. People get the drink carried into houses near at hand, and they get into concealed places where it is extremely difficult to reach them; I have now a number of policemen who are employed every Sunday for the suppression of what is called Sunday trading, which certainly produces inconvenience in other ways; by Sunday trading I mean Sunday trading in intoxicating drinks. This requires a number of policemen to be employed now, first of all taking them from their

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very important duties, and I should say the more important duties of protecting property and life; property certainly; and likewise it requires them to act in a manner which very often places them in a very objectionable light before the public. There must be a certain degree of concealment which although for particular objects it may be quite legitimate, yet for others it is very much disliked by the public. Many magistrates, I know, strictly require proof that there was actual drinking going on; and of course people will not drink in the face of a policeman in his uniform, so that they are obliged, in order to effect any detection, to put on some dress which is called a disguise, and generally, also, they must say or do something which places them in a position of concealment of what they really are. These are objections, I think, and the greater the restrictions the greater the number of cases of that sort which must arise.

121. Are constables employed in plain clothes for the purpose of detecting illegal trading in liquors?—They are occasionally, but I dislike it so much that I generally decline to allow them, but in some cases it must be done. Those who evade the law have people who are called touters at a distance from the public-house to watch the police coming, and on the alarm being given they put away all their glasses, and when the police come in they merely find the people all sitting there. And also an evasion of the law takes place very largely from lodgers. A man says there are lodgers in my house, and where there are lodgers it is very difficult indeed very often to prove that they are not, even when they are not so. Sometimes the police know that they are not lodgers, and they say, we know this man; he is so and so, living in the neighbourhood, and we know that he is not a lodger; but in a great many cases in which the law is practically evaded detection does not follow, from the difficulty of proving that they are not lodgers.

122. But the restrictions imposed by the present law are acquiesced in with cheerfulness, are they not?—I think so; that is to say, a good many attempt to evade them, but I think by the public generally they are acquiesced in.

123. But is it your opinion that if Parliament were to consider that some further restriction might take place, it would be acquiesced in in a like spirit, or that it would lead to any great dissatisfaction?—I think that it would lead to dissatisfaction. I know that a great many most excellent persons think otherwise, but I certainly have no reason to suppose that the public at large demand a more restrictive law.

124. Mr. Roebuck.] The number of hours being made smaller on Sunday may probably diminish the number of cases of drunkards on that day, but have you any idea whether it increases the number of drunkards of the succeeding week days?—The number certainly remains curiously alike upon the whole number of the days of the week, but I have a return which I have not got here of the Mondays, showing that there was some increase on those days, but not very great; perhaps Wednesday, Thursday, and Friday are rather soberer days than either Saturday afternoon or Monday or Tuesday.

125. You stated that restriction led to evasion; what sort of mode does the evasion take; are there small shops in which people that wish to get drink can get drink?—That is done to some degree, but not much; it is principally done by having houses

adjoining, or back yards and courts, and places where people assemble; a man gets some drink in on Saturday, or during the hours that the houses are open on Sunday, in the lower parts of the town, and the people assemble there and drink; but there is a considerable evasion in premises immediately adjoining the lower class of public-houses. I should, however, say that a large number obey the law strictly.

126. Then the mischief arising from evasion is created by the restriction?—Yes.

127. Therefore, does not it follow in your mind that we must take that element of evil in connection with any good that may happen from the restriction?—Undoubtedly it is a balance between the good and the evil.

128. Have you, in your own mind, weighed them together, so as to know whether, in your conception, the one is balanced by the other; whether the mischief arising from restriction is balanced by any marvellous good that is done by it?—I think that there has been good done by the present restrictive hours; but if you increase the restrictions you increase the danger of evasion, and all evasions are bad, and accustom people to disregard the law and give them a general disrespect for the observance of the law.

129. Supposing that the hours of opening were restricted to 10 instead of 11 o'clock, what amount of good do you imagine would arise from that restriction?—It is very difficult to form any opinion of that kind. I think it would probably reduce the number of cases of drunkenness.

130. What evidence have you that leads you to that "probably"?—From the general belief that a man who may have drunk a little too much at 10 may get more between 10 and 11; each hour that a public-house is open there is an opportunity for persons getting drunk if they are so disposed.

131. But would you carry it thus far. Supposing that you were to shut them up altogether, do you think that that would put an end to all drunkenness?—No, I do not, unless you could prevent them getting drink elsewhere, which I do not think you could. There used to be in former times what were called Tom-and-Jerry shops, which were in truth the results of the restrictive law at that time with regard to the consumption of drink upon the premises; it was always evaded in that way. People got beer and spirits and other things from a public-house, and took them to some place elsewhere which was not licensed, where the people got drunk, and not even with the control, so far as it went, of the order which the landlord was required to maintain within the public-house.

132. You say that the Tom-and-Jerry shops were the result of increased restriction; since that increased restriction has been taken off, have the Tom-and-Jerry shops disappeared?—Yes, in my district certainly; there may be some, but I am not aware of their existence.

133. Would not you draw from thence the conclusion that it would be a very dangerous thing to increase the restriction; is not that the logical consequence?—It is open to that conclusion, no doubt.

134. Is not that the logical consequence?—Yes, I think it is.

135. Mr. Horsfall.] You spoke, did you not, of the variation in the number of cases of drunkenness, from 14,000 to 20,000, and in one case to 22,000?—Yes; I do not know that it has ever been

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been so low as 14,000; 16,000 I think is the lowest.

136. Were the regulations of the police the same, during the whole of this period, as to reporting cases?—The regulations were just the same. The Sale of Beer Act of the 11 & 12 Vict. c. 49, gives power to the police to enter public-houses; and the fifth section says, that "It shall be lawful for any constable, at any time, to enter into any house or place of public resort for the sale of wines, spirits, or other fermented or distilled liquors; and every person who shall refuse to admit, or shall not admit such constable into such house or place shall be deemed guilty of an offence against this Act." I am not quite sure, at this moment, whether that was the first time such a power was given, but at all events since that time the police have had the power of demanding admission, which gives them, of course, much greater means of ascertaining what evasion of the law there may be; but nevertheless that even is evaded by the time that they take before they admit the police; they sometimes say that they are in bed, or that they cannot come down, and when the police are waiting outside they have frequently heard glasses ginging, and evidently put out of the way, so that the law is evaded in that way.

137. But irrespective of that law the instructions which you give to the police are substantially the same, are they not?—Just so.

138. When you spoke of public-houses being closed for a greater number of hours, being a privation to the lower class, or the labouring class, you spoke, of course, of a section of them, did you not?—It would in some degree apply to all.

139. I presume you have no means of ascertaining that the majority of the lower classes would wish those houses to be open?—No, I have not.

140. Mr. Baines.] Your returns of the number of cases of drunkenness extends, do they not, from the year 1831 to the present time?—Yes.

141. I want to know what changes have taken place in the number of hours that the public-houses are open on Sunday within that period; that is to say, at the first time, from 1831, what number of hours, from four o'clock on Sunday morning, to four o'clock on Monday morning, were the public-houses, by law, allowed to be open?—I think practically, between 1831 and 1839, the public-houses were not required to close at any hour on Sunday. There was a general law about closing during the hours of Divine service, morning and afternoon; but as I said that law was nearly inoperative, if not wholly so from the divisions of parishes, and the different hours of Divine service both morning and afternoon.

142. Then do you mean now to say that public-houses were open from four o'clock on Sunday morning, all the time, until four o'clock on Monday morning, 24 hours?—I think so far as the police were concerned, there was no restriction enforced.

143. When did the first practical restriction take place?—In 1839, by the 2nd and 3rd of Victoria, chapter 47.

144. For what number of hours then were the public-houses opened?—They were prevented opening until 1 o'clock on Sunday, from 12 o'clock on Saturday night, that is in the Metropolis. I confine my observation to what is

called the Metropolitan Police District, which means about 15 or 16 miles round Charing Cross. The 42nd Clause of that Act says, "that no licensed victualler or other person shall open his house within the metropolitan police district for the sale of wine, spirits, beer, or other fermented or distilled liquors, on Sundays, Christmas-day, and Good Friday, between the hour of one in the afternoon, except refreshment for travellers;" so that from 12 o'clock on Saturday night, when the Sunday begins, until one o'clock on Sunday mid-day, the public-houses were closed within the metropolitan police district. I may add that the old law still remained in force about the afternoon Divine service, but as I have said it was not enforced, in truth it could not be, for the hour varied so much.

145. Then, having opened at one, at what hour were the public-houses again closed?—I say, as far as any steps by the police to restrict them were concerned, they were not closed at all, they remained open the whole time.

146. Were they not closed until four o'clock on Monday morning?—They might remain open without closing the whole night or morning, just as they were on other days.

147. Then from one o'clock on Sunday, to four o'clock on Monday, was 15 hours that they might be open?—Yes, but they might be open beyond four; there was no restriction then to four o'clock.

148. But you have given us the hours from four on Sunday morning to four on Monday morning, and I wish you to confine your answer to that; will you go on and state what was the next restriction that took place in the way of altering the time of being open on Sunday between those hours?—The next restriction was that of the 17 & 18 Vict. c. 79, which was repealed the following year by the 18 & 19 Vict. c. 188; Mr. Berkeley's Act, which is the law still in force.

149. Was the Act of 1848, Mr. Wilson Patten's Act?—No, the 17 & 18 Vict. was Mr. Wilson Patten's Act.

150. What number of hours were the public-houses allowed to be open by that Act of 1848?—I have not got that Act before me, but the 11th and 12th of Victoria, chap. 49, says, that no licensed victualler shall open his house for the sale of wine, spirits, beer, or other fermented or distilled liquors, or sell the same on Sunday before half-past 12 on Sunday afternoon; but that did not apply to the metropolitan district, and it remained until one in the metropolitan district. The next Act was, I think, that of Mr. Wilson Patten, the 17th and 18th of Victoria.

151. Then the Act of 1848 did not practically alter the hours?—No, it did not, within the metropolitan district.

152. By Mr. Wilson Patten's Act of 1854, the public-houses were required to be closed between half-past two and six, and they might remain open from six to 10?—Yes.

153. Mr. Locke.] Under that Act the houses were closed from half-past two to six, instead of to five as before, and were opened from six to 10, giving 5½ hours open?—Yes.

154. Mr. Baines.] How many hours by the Act of 1855, are they allowed to be open?—They are open from one until three, closed between three and five, and then open from five to 11.

155. Then are we to understand that from

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1831 to 1839 the public-houses were open for 24 hours of the Sunday?—Practically that was so; or rather I should say that might be so, because I believe that a great number of publicans did close. As far as any law was enforced they might be open; the law required them to close during the hours of Divine service, morning and afternoon.

156. Then from 1839 to 1854 practically they might have been open 15 hours; by the law of 1854 they were reduced to the period of 5½ hours during which they might be open, and then by the Act of 1855 the period was enlarged again to eight hours during which they might be open?—Yes, that is so.

157. Then these being the facts it would appear that the reduction in the number of cases of drunkenness to which you have alluded, and which may be taken either as a positive or as a comparative reduction has corresponded with the reduction in the number of hours that the public-houses have been open on Sunday?—I do not know that it quite leads to that.

158. I am simply saying that the two things have occurred at the same time; that the reduction is greater under the state of the law in which public-houses are open a much shorter time than under the old state of the law?—Yes.

159. Would you draw the deduction from that, that the gradual progress of restriction has been beneficial to the public morals or otherwise?—I have said that that is my opinion, but still I couple with that the opinion that there is a limit. I think that when you come to a certain amount of restriction, you come to a certain amount of evasion, and the law is in fact not operative, as it were, that is to say, it is so much evaded; and besides that there is the inconvenience, which is perhaps not a question of morals, but there is a great inconvenience in the fact that people who should legitimately get drink are not allowed to get it.

160. You have no doubt that the practice of drunkenness is highly injurious to the men themselves, and to their wives and children?—None whatever.

161. And that the more drunkenness can be diminished, the more beneficial it will be for the wives and children, as well as for the working men themselves, both in their character and in their industry?—I think that if you could improve the morals of everybody, and could make everybody in the community sober, it would be far better for everybody in the community.

162. Colonel Fane.] You have mentioned that one great source of difficulty which the police have is the lodgers; is there any restriction on the part of the police, or have they any power to prevent a lodger taking any quantity of liquor during the permitted hours, seeing that he is a lodger, and carrying it into his own room?—There is no power of that sort.

163. Would it be possible to make any alteration in the word "lodger," so as to catch hold of such people as act in that way?—I have not thought of how such a clause should be worded, but no doubt there is very great evasion caused by that word "lodger."

164. And the police have found very great difficulty in bringing them under the law, in consequence of lodgers acting in this way?—That is so.

165. Mr. John Abel Smith.] Will you have the goodness to refer to the returns which you

gave in the beginning of your examination, as to the division of time which you stated as regards the drunken cases. You took a period between 1831 and the present moment, but as I understand you made a separate classification?—I think I took the period from 1831 to 1861. The number of drunken cases, including disorderly cases from 1831 to 1833, I excluded for this reason, that the superintendents then discharged a number of cases of mere drunkenness, and I believe a much greater proportion of cases were taken by the police then than subsequently; so that I begin from the year 1834, when the mode of enforcing the law by taking cases before the magistrates has been the same.

166. What are the instructions given to policemen with regard to drunken cases?—That if a person is merely drunk, and not exposed to danger either of person or property, he should be got home if his home is known.

167. The fact is that the policeman directs his attention rather to the security of the individual than the notice or the punishment of the offence?—It is so.

168. Now will you go on with those returns?—The number of cases in 1834 of all sorts, male and female, orderly and disorderly was 19,779, the population being as we then estimated it 1,607,350.

169. Now will you go to 1848?—In 1848 the number of male and female cases, orderly and disorderly, drunk only, and drunk and disorderly, was 20,829, the population being then 2,952,000.

170. That practically was a great diminution?—Yes, looking at the population it was so. Then last year, which was 1867, nine years afterwards, the numbers were 16,941, the population being 3,452,000; so that that makes a very remarkable diminution with reference to the population. I should state however that 16,941 or nearly 17,000 is rather an unusually low number, because in the previous year it was 18,000, and the year before that 19,000; so that 16,000 for some reason or other is an exceptional year.

171. You stated, did you not, in answer to Mr. Baines, that up to a certain period, there was practically no restriction on a publican from keeping his house open all night?—I think it amounted to that; certainly by the police there was not any. I found it so difficult and in truth impossible to enforce the law that I desired the police not to attempt to do it.

172. Have you any doubt whatever that the restriction is a large portion of the cause of the diminished drunkenness?—I think it has been a cause.

173. Have you any doubt as to the large share which drunkenness takes in the production of crime?—None whatsoever. I am sure that it produces a great deal of crime, both directly and indirectly. It leads directly to crime, disorder, assaults, and violence, and it also leads to the commission of offences against property, immediately and indirectly by poverty, and it leads to a reckless, dissolute state of morals.

174. Then your conclusion probably would be that restriction, though in itself an evil, may be necessary to meet so great an evil as drunkenness?—I think so; perhaps I may add that the restriction with regard to the closing on Saturday nights, I think, has had a remarkable effect in that respect. Many men that were drunk, or nearly drunk, or having drunk more than they ought,

ought, at 11 o'clock on Saturday night, remained in the public-house through the whole Sunday morning, as it were, till the following day. They were then drunk, and ready to begin to drink more; but the closing now at 11 o'clock necessarily gives them time to get sober before they can begin to drink again. Being closed at 11 o'clock, the public-house is not open till one the following day, and men not being able to get drink after 11 on Saturday night, necessarily get sober, as far as public-house drinking is concerned, between that and 1 o'clock the next day, when for the first time they can begin again to drink in a public-house.

175. Then your limit to the restriction would be simply this one; namely, that it is good up to the point at which it excites so much inconvenience and general dissatisfaction that it leads to an evasion which renders the restriction practically useless?—Yes, I think that that is a fair statement of the case.

176. Have you turned your attention at all to the working first of all of the Sunday Closing Act of 1848?—Yes, that was the closing from 12 o'clock on Saturday night till one o'clock on Sunday. The Act that I specially alluded to was the 2nd & 3rd of Victoria, which was passed in the year 1839, which operated most usefully in closing the public-houses for so long a period.

177. With regard to the returns which you have laid before the Committee as to drunkenness in London, although it may give an accurate idea as to the amount of drunkenness with violence, it gives no correct idea whatever of the real amount of drunkenness?—Drunkenness is a vague word in police understanding; they have a variety of expressions, such as the worse for liquor, intoxicated, and having drunk too much, and various other expressions; but the term includes all cases of persons who are actually drunk, reeling, and so drunk as to be incapable of taking care of themselves, as well as those who are only what we may call forward in liquor (there are all sorts of expressions for it), and those who being in that state commit some assault or disorder.

178. Has there ever been any notice taken of the number of persons visiting public-houses during the Sunday?—Not that I am aware of; at least not by me.

179. Have you any return showing the number of suicides on Sunday or Saturday night?—No, I have not.

180. With regard to the operation of the Act, 1854, Mr. Wilson Patten's Act; it was in existence so short a time that you declined to give any opinion upon it?—Yes, that is so.

181. But you did state that it was altered by Mr. Berkeley's Act in consequence of the objections that were made to it?—So I understood.

182. Can you give the Committee any facts or definite information with reference to that?—I am not able.

183. Have you any reason, in your situation as Chief Commissioner of Police, to believe that Mr. Wilson Patten's Act had anything to do with the disorders which took place in London in the winter of 1854-55?—Yes, I think so.

184. You think you know that?—Yes, that was with regard to the Sunday Trading Act generally, I think.

185. No, it was not. The Sunday Trading Act was Lord Robert Grosvenor's?—That was the Act which I thought you meant.

186. That was not Mr. Wilson Patten's Act, 0.69.

and I want to draw a distinction between Mr. Wilson Patten's Act and Lord Robert Grosvenor's Act?—Lord Robert Grosvenor's was only a Bill, it never became an Act.

187. You think that Lord Robert Grosvenor's Bill was the cause of the disorders in Hyde Park?—It was the immediate cause, but I understood and believed that the great excitement was in consequence of the restrictions of the Public House Act, which they said would be carried further if the Bill of Lord Robert Grosvenor's became law, I know that they were mixed up; it was considered by us at the time that the one was considered in connection with the other; that if Lord Robert Grosvenor's Bill became law, it would be a precedent to carry the Public House Act still further, and in that way they raised a general clamour; and a very strong feeling was excited which was expressed in a very noisy way and a very troublesome way for the police by the Hyde Park disturbances of that day.

188. I will ask you about the Act of 1864, Sir George Grey's Early Closing Act; I think I understood you to have expressed a very strong opinion of the usefulness of that Act with regard to drunkenness on Saturday night?—I have done so; and I may add that whatever merit or otherwise there may be in that clause I may claim it, for I had for several years been urging such a clause, in communication with some of the vestrys, especially the vestry of St. James's parish; I told them that I saw no other way to the prevention of such disorders as there were in the Haymarket especially, which was the most conspicuous place, but in other places likewise, except by closing the public-houses at that hour, and I urged that very much upon Sir George Grey, who considered it greatly, and at length acted upon it.

189. Drawing your attention to the fact that in 1848 (I leave out Mr. Wilson Patten's Act as too short a one), in 1855, and in 1864 there were in each of those three years restraining Acts passed, do not you think that it is a fair conclusion that the diminished drunkenness in proportion to the population is to be attributed to the working of those Acts?—To some degree; I cannot distinguish to what, but to some degree, I do not hesitate to express my opinion that those restrictions have been useful.

190. You have read some returns with reference to the drinking on Sunday, and I think I understood you to say this, that finding the return which at first was presented to you, namely, from 12 o'clock on Saturday night, to 12 o'clock on Sunday night, to be not a fair one, you directed a return to be taken from 4 o'clock on Sunday morning to 4 o'clock on Monday morning?—Just so, taking the 24 hours from 4 o'clock on Sunday morning, instead of from 12 o'clock on Saturday night.

191. And I think I understood you to say that the return gave you the number of 25 drunk on the Sunday as against 50 on the working days?—That is so.

192. Do you not believe that the main drunkenness does exist between the hours of giving up working on the Saturday and the closing of the public-house at night?—It would be a very large proportion. It will appear, I think, in some degree from this that the difference between 12 o'clock on Saturday night and 4 o'clock on what we may call Sunday morning or Saturday night, is as between 97 and 50, nearly double, you will observe.

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193. Therefore it shows, does it not, that the larger amount of drunkenness is on the Saturday night?—There is a very large amount. The men receive their wages on that day. Just to show from the first what was our view upon that point, on the first establishment of the police we made our pay-day Wednesday instead of Saturday, feeling that it was advisable to pay them in the sober part of the week, the police being wanted very much upon the Saturday, when the rest of the community were more addicted to drinking.

194. Do you know at all what is the number of public-houses and beer shops in London now?—Yes, I have got a return for the year 1866. The number of public-houses within the metropolitan district is 6,479, and the number of beer-houses is 4,207, making a total of 10,686; that was for the year ending 1866, and I do not think that there is much difference now.

195. Can you compare that with any former period?—I have not got it here, but I can give it for any period.

196. Has there been a great increase?—I am not aware that there has in proportion to the population. My impression is that there has not, but I can give a return on that point.

197. Could you give a return with regard to that for 10 or 20 years ago?—Yes, I will do so.

198. From the persons under your command, do you know anything at all of the feelings of the working men in London with regard to the restrictions on drinking?—I think they are unfavourable to them generally.

199. Have you ever heard that expressed?—Yes. I think if you were to poll the working people they would be found unfavourable.

200. Do you think that the majority would be against the restrictions?—I think so.

201. Have you ever turned your attention to that point, or have you ever made inquiries upon it?—Only in this way, that I have found that at the period of Lord Robert Grosvenor's Bill, which has been spoken of, there certainly was a strong feeling connected with the closing of the public-houses, they felt that it was a restriction. The opposition was said to have been got up very much by the publicans themselves, but I think that it was excited by a general feeling against the restriction.

202. With regard to the evasions of the restrictions, assuming them to be very considerable, still the drinking is very much less under the restrictions in spite of the evasions, compared to what it would be without the restrictions?—It is in fact so, looking at the population, and I think it would be still more so. There would be greater drunkenness if there were no restrictions.

203. With respect to the success of evasions, do the evasions bear any proportion to that state of drunkenness which would exist if there were no restrictions?—No, I think not. A very large class, indeed, of publicans and licensed victuallers, I believe, observe the law most strictly. It is principally, I think, in what you may call the low neighbourhoods of the town that the evasions take place; for instance, parts of Whitechapel, parts of the Mint, Lisson Grove, Gray's-inn-lane, and what the police generally would call a low neighbourhood.

204. With regard to the effect of the restrictions proposed in the Bill now under the notice of the Committee, what would be the amount of inconvenience that would be caused by limiting the

hours to 10 instead of 11 at night?—I cannot form more than a vague opinion upon that; but in fine summer weather when people are walking about to a late hour, a great many people are out between 10 and 11 who would reasonably desire to get drink, for refreshment properly speaking, who would be prevented. As to what the number of those would be I can form no opinion, but I think there is a large proportion.

205. Do you know anything of the habits of England generally with regard to Sunday excursions as compared with London?—No, I have not the means of knowing. In London I know it is very extensively done, and I think most beneficially so, notwithstanding all the evils connected with it. I hear people at Richmond complaining of Sunday disorder, and in the neighbourhood of the Crystal Palace, and at other places they complain also, but still I think, taking them as a whole, they are most beneficial.

206. Do you know whether there is any one place in England or Wales in which the habit of Sunday excursions prevails at all to the same degree that it does in London?—I am not able to say, but I believe that it does prevail largely; I happen sometimes to visit near Liverpool, and I have heard that it does there prevail very largely, and at Manchester I have heard that it is so, but I have only casual means of information; I do not know anything positive about it.

207. With regard to the inconvenience on account of the restriction imposed by this Bill, you attach considerable importance in the metropolitan district to the hour between 10 and 11 on Sunday night?—Yes, I do.

208. With regard to the metropolitan district, the inconvenience of taking away that hour would be in proportion to the number of excursion travellers, would it not?—No; I should not quite restrict it to that; I think that a great number of persons walking about the parks and the streets would desire to have refreshments; people going out in little taxed carts and such things, and coming home and wanting refreshments.

209. But that is all a part and parcel of the great desire prevailing so largely in London of a visit to the country on Sunday whether they go in carts or in trains?—I think that that is very considerable; many go little distances; many go to Battersea Park and walk about there.

210. Do you think that those are not home by 10 o'clock?—I think not, looking at the distances from which they come; sometimes when I have been there I have noticed with pleasure people coming there after their dinner hour, between 3 and 4 o'clock, and staying there late and going home to their distant places of abode afterwards.

211. Have you any idea at all as to the amount of diminution of drinking which has been produced by the distress in London of late years?—I have no means of judging.

212. You do not know how far it would operate in the direction of the reduction of drunkenness which has taken place?—I do not.

213. Have you any doubt that it has operated in that direction?—It reduces the number of drinkers certainly, but drunkards are very often a wretched class, who will drink although they starve themselves; it must have had an effect, I should think, but I have no means officially of judging of that effect.

214. With regard to the railway refreshment rooms, they are shut up by law now, are they not, from 11 till 1 on Sunday nights?—Yes, so it appears;

pears; I never looked at the Act with that view before, but so it appears.

215. Would the removal of the restriction upon the railway refreshment rooms from 10 to 11 diminish to any great extent your objection to the limitation of the hours?—It is, perhaps, only a guess, but I believe that there is no distinction made, and that at the railway they would supply you with refreshments at any time; I mean that they make practically no distinction between 11 and 1 on Sundays, and I imagine that they would give you refreshment if you required it.

216. That is the law as you state, and as I believe justly state it; but if that restriction with regard to the railway refreshment rooms were taken off would not that powerfully affect your objection to the limitation of the hours as proposed in the Bill?—It would do so to a certain degree, certainly; at the same time, if one is correct in believing that they serve between those hours it could not have much effect; but if it were enforced it would.

217. Then I collect as the general result of your opinion this, that you are generally averse to restriction?—I am.

218. But that you believe that the effect of restriction with reference to drunkenness has been beneficial?—I am equally of that opinion.

219. And further, that the limit to that restriction ought to be one, and one only, namely, the discontent produced by the restriction and the evasion being beyond control?—I do not speak quite so decidedly upon that; but those are certainly very important ingredients in considering the question. It is a very important ingredient in objecting to restrictions that you get an amount of discontent, and an amount of evasion, and above all an evasion which of itself defeats the law.

220. Assuming that restriction has been beneficial, is there any other limit to that restriction than its effect in producing discontent and evasion?—Those are the general heads, I think, and even without discontent I should use that rather large word "inconvenience."

221. Mr. *Hibbert*.] If I correctly understood you, you stated in reply to one of the Honourable Members, that previous to 1839, when the London Police Act was obtained, the public-houses and beer-houses in London might remain open; at least there was no police regulation to prevent them remaining open the whole of the day?—That was practically so. I should state that the police were in existence from 1829, 10 years before that, but such was the state of the law that that was the first law, which as a police law gave any direct power to the police to require the houses to be closed.

222. Was not it the fact that in every license that was granted by the magistrates, there was a condition that the houses should be closed during the hours of Divine Service?—Yes, that was so since the 9th of Geo. 4.

223. Therefore if the police had been authorised to watch those houses, perhaps they might have been closed during the hours of Divine Service, and ought to have been closed during the hours of Divine Service?—If you will allow me to say so as to the word "ought," I would rather deal with it in this way: I found that it produced such extraordinary results and such a state of things that I thought that the police ought not to attempt to enforce such a law; as for instance, on the one side of Oxford-street, a public-house was closed for an afternoon service, and on the other side a

public-house was thronged with people, there not being an afternoon service in that district then, so that the publicans naturally complained of it, and no good whatsoever was done in checking drunkenness, because the people who could not get drink at one place could get it at another just across the street.

224. On those grounds I presume the police authorities of London recommended the insertion of that clause in the Act of the 2nd and 3rd of Victoria?—That was done, I believe, upon my own recommendation.

225. After that, the City of London followed your example, and the same year they obtained a similar clause in their Act?—Yes, later in the year.

226. Then two years later, was not a clause put into an Act, with reference to steamboats on the river?—Yes, there was.

227. Do you know what restriction was imposed by the 5 & 6 Vict. c. 44, s. 5?—It was this: "No wines, spirits, or other exciseable liquors shall be sold by retail on board of any boat, steamboat, or other vessel which shall be moored or lying at anchor" (that was only when they were moored or at anchor) "within the metropolitan police district, during the hours and times on Sundays, Good Friday, and Christmas-day on which licensed victuallers are by law obliged to keep their houses closed."

228. Then I understand that the next Act which was passed with reference to the restrictions on the hours of sale, was in the year 1848, when a general Act was passed with respect to England and Wales?—Yes.

229. Therefore it would seem that instead of there being great difficulties in dealing with the question of restriction in London, London actually took the lead for nine years in closing the public-houses on Sunday?—Yes, it did so, and also for half an hour longer, because when the general Act was passed I have heard that the Act required them only to close till half-past 12.

230. Are the public-houses in London now closed half an hour longer than the houses in the country?—I think that under Mr. Berkeley's Act they are all closed at 1 o'clock.

231. It used to be 1 in London and half-past 12 in the country?—That is so, I think, out of the metropolitan district.

232. Is it your opinion that there is any greater difficulty in dealing with the question of restriction in the metropolitan district, than in large towns in the country?—Yes; I think so; London is so immense, and there are such a number of persons to deal with in any restriction, that I think the difficulties are greater.

233. But how do you account for the fact that the London people were satisfied to have this restriction for nine years before it was applied in the country?—I do not think that they cared about it; there was no objection made; perhaps they thought that they could not help themselves.

234. Then we come to Mr. Wilson Patten's Act of 1854. You have not given the Committee any return as to the cases of drunkenness during that time, but I have here a return which you gave before the Committee of 1855, for the six months of the year 1854, which was the year before Mr. Wilson Patten's Act was passed, and for the six months after that Act was passed; can you call to recollection that that return showed a large decrease in the number of drunken cases during

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during the six months after Mr. Wilson Patten's Act was passed?—I have not that in my memory; I had forgotten to refer to that Act before this examination.

235. You perhaps cannot remember that, for the first six months in the year 1854, the number of drunken cases on Sunday were 3,224, and for six months in the year 1865 there were 2,076, or a decrease of 1,148?—I am quite sure that that return was correct, and I am ready to adopt it now; but what explanatory circumstances there may have been or might be, I do not know; I believe that the six months were taken because that Act had only been in operation six months; so that I took a corresponding period of the previous year.

236. Perhaps you could not speak with respect to a return made from the City of London of a similar decrease made by Mr. Whittle Harvey to this effect: that in the 11 months preceding Mr. Wilson Patten's Act the number of committals for drunkenness on Sunday were 314, and for the 11 months succeeding the Act they were 178, or a decrease of 136?—I cannot speak to that.

237. It would be quite possible, would it not, to give a return of the six months during the following year, when you were under the operation of Mr. Berkeley's Act?—I can do so.

238. You stated with respect to the restrictions imposed by Mr. Wilson Patten's Act, that it led to great evasions, and also that it led to Tom and Jerry shops being revived?—Yes.

239. Did not you say this before the Committee, that the opinion of the superintendents is that there is not more drinking in unlicensed houses than there was formerly?—If I said so I thought so at the time, but I do not remember it now.

240. Therefore at that time it was probably your opinion that there had not been any increased drinking in unlicensed houses during that one year?—No doubt I thought so at that time; I adopted the opinion, whatever it was then; but whether, on further inquiries, I might alter it I cannot say; I have no doubt that that was the opinion which I then held.

241. Is there any great attempt at drinking in unlicensed houses at the present time?—No, I think not any great attempt. They sometimes get near the public-houses, and here and there there are a few people who assemble for the purpose of drinking, but I should not say that there was any great attempt, and those are principally cases in connection with the lower class of houses in the back premises, and also where there is an evasion as to the interior communication.

242. Can you say whether there was any greater evasion during the time that Mr. Wilson Patten's Act was in operation, than there has been under Mr. Berkeley's Act?—I am unable to say that.

243. With respect to the excitement which was caused about Mr. Wilson Patten's Act, you stated that you thought that the riots in Hyde Park had some connection with the working of that Act?—Yes, I thought so at the time.

244. Was not it the fact that the riots in Hyde Park ceased the moment Lord Robert Grosvenor's Bill was withdrawn?—Yes.

245. And Mr. Berkeley's Act was not passed until the close of the Session?—No; I think that the public feeling, or rather the drinking feeling, was a fear of still further restrictions being imposed. It was the first Act which restricted the

afternoon facilities for getting drink; there was a certain amount of irritation, I think, caused by that, and then when Lord Robert Grosvenor's Bill with regard to the general Sunday trading was introduced they felt that to be a still further step, and I think the traders and those who were opposed to the Sunday Trading Bill generally took advantage of that feeling, and got a number of persons together who added to the number of disturbers and rioters.

246. Can you say whether any evidence was given before the Committee of 1855 to connect those riots in any manner with Mr. Wilson Patten's Act?—I do not remember that.

247. With respect to the returns which you have given of Sunday drunkenness, you say that between four a.m. on Sunday and four a.m. on the Monday there are on the average 25 cases, and 50 on a week-day?—Yes.

248. Is it not the fact that those 25 cases arise during the time that the public-houses are open eight hours, and that the 50 cases arise during the time of opening 20 hours?—Yes.

249. Therefore does not it show a much larger proportion of drunkenness on the Sunday during the limited number of hours in which the houses are open?—That would have some influence, but not much, because I think in the earlier hours of the day there are not many drunken cases.

250. You have 25 cases to eight hours opening, and 50 cases to 20 hours opening?—Yes; but then I have said that during the greater part of that time I do not think people get drunk; for instance, say from four o'clock in the morning until one o'clock in the day or so, comparatively very few persons get drunk; the greater proportion of the drunkenness takes place in the afternoon, and evening, and night.

251. Do not you think that that is an argument for closing earlier on Sunday evening?—If you take it like a rule of three sum it would be.

252. Take the case of the winter months. You say that, in summer, excursionists are put to very great inconvenience; but excursionists do not go about in winter, and what inconvenience would there be in closing earlier during the winter months?—I think some people would want to drink in winter; not so many, certainly, as in summer. That class that I speak of, who are rambling about the streets, and crowding the streets on Sundays, up to 10 or 11 o'clock, would, of course, be much reduced.

253. Do not you think that by closing at nine o'clock on Sundays you would prevent a vast amount of drunkenness?—There would be the evil, as I stated before, of evasion, and there would be a strong feeling of discontent; that is my belief.

254. Do not you think that before nine o'clock, in winter, the greatest number of excursionists would have returned home?—Yes; but then there are many others who want drink besides the excursionists.

255. Would not it be possible for those who wanted to drink in their homes to buy it before nine o'clock at night?—I think not. The great masses of what are called the lower classes have no means of getting it before that time.

256. But, carrying on the opinion you have just expressed, you say, do you not, that the greatest amount of drunkenness takes place at the later hours of the evening?—I think so.

257. Do you not think you would get rid of a great amount of drunkenness by closing at an earlier

earlier hour?—If they knew that they could not get the drink later they would get the drink earlier.

258. For instance, take the gin-shops: would it not prevent a vast amount of drunkenness if those were closed at an earlier hour on Sunday?—It is just a balance of the evasion and the discontent. In all legislation you must consider some evasion.

259. With respect to Mr. Wilson Patten's Act, can you say whether great inconvenience arose from the houses being closed between 10 and 11, or from the houses being closed from five to six?—I cannot distinguish now; it is a good many years ago, and I have only a general recollection and belief; from recollection, I know I thought then that there was a general feeling of dissatisfaction; people thought it was an interference; it was the first Act, and we know people become accustomed to a state of things after some time which they thought at first a grievance. At that time there was discontent; perhaps it might not be so now; but I think it is to be expected that there should be, more or less.

260. Was not a great amount of inconvenience felt by excursionists, or rather that was made the ground of the change in the law, was it not?—It was very considerably so; but I think that would apply mostly to the late hours.

261. Do you think that closing at nine o'clock, or 10 o'clock, would inconvenience excursionists more than closing from five to six?—Yes, I think so.

262. Would not it be an advantage to excursionists that the houses should be opened at half-past four after the evening service, and remain open until 9 o'clock, and be then closed?—In what I may call the country towns and rural parts of the metropolitan district, and I confine my observations specially to that district, one series of hours would be felt a grievance much greater in one part than in another. For instance, in the country parts the earlier hours would be the great grievance, and in town on the return it would be the later hours.

263. Do you think, having that view, that there would be any advantage in leaving it to the authorities of each town to open or close the public-houses during certain hours?—I think that that had better be done by legislation; it would be a very invidious office. I should be very sorry to have to exercise such a discretion; I should be besieged with applications of all sorts, and it would be very often very difficult to draw the line, to say that one house should be opened and the other closed, or one district closed and another kept open. It seems to me to be a fit subject for legislation rather than an administrative question.

264. With regard to the advantage of granting a six days' license; that is to say, allowing a publican to take out a license for six days and closing on the Sunday, do you think that there would be any inconvenience in carrying out such a change in the law?—There are many places where I dare say a publican would rather have his holiday than serve at all on a Sunday; and there would be an advantage of course in those cases in allowing him to close; but there would be the great objection to which I have already referred.

265. Mr. John Abel Smith.] Do you know anything with regard to the number of publicans who want to close on Sunday?—I do not; but

with regard to Sunday trading, I have often said to people, "Why do you not agree to close; you are not forced to keep open your shop." And they say "No; but if we do not keep open on Sunday, we shall lose our custom on other days." And I imagine that that would be felt very much by publicans.

266. Mr. Hibbert.] But supposing the publican got an advantage in his license; that is to say, if he did not pay so much for his license for six days as for seven, would not that affect the question?—I am hardly able to form an opinion about that. There is some such provision with regard to cabs, but even that I find is a good deal evaded; although they paint the Stamp Office plates of a different colour, they are not very distinct in colour; and, in fact, there are cases (perhaps I should not say a considerable number, but there are cases) in which men who only have a 6s.-license take advantage of a 7s.-license; the license being 1s. a-day for a cab.

267. You say that the police are strict in looking after public-houses on Sunday to prevent evasion of the law; do they find any difficulty in proving those cases when they take them before the magistrate?—Very great. Some magistrates, in my humble judgment, require a proof that is unreasonable. If the police see drink and glasses upon a table, and smell the drink, and there is even a wet counter, the magistrates say, "Did you see anybody drink?" and if the answer is "No," the magistrates say that there is no proof, and they dismiss the case.

268. Is it not the case that some magistrates require the sale of drink to be proved?—They do.

269. Do not you think that in that respect the law requires amending?—It would be very difficult to convict under the present state of things.

270. I ask you whether you think the law could be amended in respect to that point?—The difficulty is, that it is a matter of evidence; and with regard to what a magistrate may consider evidence, although I may think it is unreasonable he may think otherwise. For instance, to take an illustration, the Act of last Session made it penal for men to assemble for the purpose of betting, and a case was lately brought before a magistrate, in which a number of men, who assembled weekly outside Tattersall's, who were betting men, and known to live by betting, and who were seen making entries in their books, and seen paying and receiving money, were charged with the offence. The magistrate asked, "Did you hear any of them bet?" The police said, "No;" and then the magistrate said, "There is no proof of betting," and he dismissed the case. It is very difficult, however reasonable I might think it, to constrain a magistrate to form an opinion upon evidence.

271. Would not it be possible to have an amendment of the wording of the Act?—Some dexterous framers of Acts of Parliament might do it, but it is very difficult indeed to get clauses framed so that the practised ingenuity of lawyers may not evade them.

272. You stated in a former part of your examination, that the police are taken away from their other duties to watch public-houses on Sunday, of course those other duties are the protection of life and property?—Yes.

273. If drunkenness occurs, does it not lead to assaults upon life, and, therefore, give increased work to the police?—Not upon life, or rarely so

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at least; it leads to a certain amount of assaults, of course.

274. If drunkenness occurs through Sunday drinking, does not it increase the work of the police?—Yes.

275. Is it not better to prevent that drunkenness than to punish it?—Yes; but in preventing it they are neglecting other duties. There is a class of duties which arise on Sunday from the habits of people going away and leaving their houses unoccupied on the Sunday; that imposes a very heavy duty upon the police, and they are taken away from that duty, in order to watch public-houses, which after all is only an incidental and a police sort of crime.

276. Are we to understand that you look upon that part of the duty of the police as not being properly within their province?—No; I did not mean to go so far as that; I said that it took them from their other duties; but I quite admit that it is a duty.

277. Has your attention been drawn to the Bill which the Committee are appointed to consider; that is to say the Sale of Liquors on Sunday Bill?—Not very much.

278. Has your attention been called to the entirely different principle which this Bill seeks to establish from the principles which have been established previously?—I cannot say that it has.

279. You perhaps have not noticed that this Bill seeks to close all public-houses for the sale of liquors on the premises with the exception of the proviso with respect to the metropolitan district?—Yes.

280. Is not that a very great change in principle, from the principle which had been established previously with respect to restriction?—It is so to a considerable extent; but still that is a law which is very easy to evade with regard to drinking upon the premises; you may drink beer or spirits a very little way off from the premises; I have done so myself in days gone by; I remember when I was walking in the country, I got some ale and took it away to a little distance from the house and drank it.

281. Would it not put the public to greater inconvenience if a Bill of this kind were passed, than if you increased the restriction upon the old plan, that is to say, a restriction upon the sale of liquor, both off the premises and on the premises, to a shorter number of hours?—No doubt that would supply a want which has been found to be a necessity, looking to the habits of the people in getting beer for dinner or supper; the prohibition of drinking on the premises would supply that want which would otherwise arise with respect to getting drink for dinner and supper.

282. From your own experience do you think that if this Bill were passed in its present form, that is to say, prohibiting the sale of liquors on the premises, it would lead to very bad results, in the way of increasing the drinking in private houses?—I think it is calculated to lead to that; you may get any amount of drink away from a public-house, and there certainly was very often a direct evasion of the law as long as the distinction between licenses to be drunk on the premises and off the premises existed.

283. Do you think it would be more easily evaded than the restrictions in Mr. Berkeley's Bill?—Yes; if you got the drink away you might get a gallon of gin and drink it in a house

a little way off; there would be a difficulty about the selling.

284. My question is this, whether, in carrying out a system of restriction, there would not be more difficulty in carrying it out upon the plan of this Bill—that is to say, that you shall sell nothing on the premises, but only sell off—than if you carry out a system of restriction for closing the public-houses altogether?—I meant to answer that by saying that it would be easy to evade it by taking a gallon of gin to any house at a little distance, merely evading the provisions of the excise against selling. If you agreed beforehand to meet and drink and subscribe, or arrange in any other way so as not to pay at the time, you might get any quantity of drink into a house in the neighbourhood, and drink it there, although you might not drink it within the premises of the public-house.

285. Entertaining that opinion, do you think that if you wish to carry out a further system of restriction it would be better to carry it out on the old plan than to carry it out on the new plan proposed by this Bill?—I think it would be better; I think it would certainly lead to less evasion, but at the same time it would supply a want which I said was almost a necessity, namely, with regard to people getting beer for their suppers.

286. I do not mean the total closing of public-houses, but supposing you were to close at nine o'clock, and cut off two hours in the evening, do not you think that that would be an easier method of carrying out the restriction than carrying it out upon the plan in this Bill, which prohibits consumption altogether upon the premises?—I think it would; from knowing what the operation of it was before, I have a great dislike to the distinction between drinking on the premises and off the premises; it is so very easily evaded.

287. In what way?—People could go a very little way off the premises, and drink what they wished.

288. Has your attention been drawn to the proviso, with respect to the metropolitan district, allowing persons in the metropolitan district who take a *bonâ fide* meal to consume liquors on the premises, and therefore dealing with the metropolis differently from other parts of the country?—It would be extremely difficult, if not impossible, to enforce a law of that kind, unless you watched the people whether they were eating, or saw that they ordered or paid for beef-steaks or mutton-chops.

289. Do not you think, considering the difficulties which have already occurred with respect to *bonâ fide* travellers, it would be much more difficult to say what a *bonâ fide* meal was?—I think it would.

290. Mr. John Abel Smith.] Do not you think, on the other hand, that the habits of London, with respect to Sunday excursions, make it utterly impossible to impose upon them a restriction which would hardly be felt as a restraint in any other part of the kingdom?—I think so.

291. Mr. Hibbert.] Do you think it necessary in dealing with this question of restriction on the sale of liquors on Sunday, to deal with the metropolis differently to other parts of the country?—There are particular circumstances to be considered in the case of London; I suppose, for instance, the practice of excursion trains is much

much greater in and out of London than in any other town or in any other part of the country.

292. Mr. *John Abel Smith.*] Is not the necessity for Sunday relaxation also greater?—Yes.

293. Mr. *Roebuck.*] Do you know the number of excursion trains, say from Sheffield, on a Sunday?—I do not.

294. You have no reason to know, and cannot tell whether, proportionately, the number is as great as it is in London?—I have not.

295. Therefore you can give no opinion upon the matter?—No.

296. Mr. *Hibbert.*] And you have no knowledge with respect to Liverpool or Manchester, or other large towns in Lancashire?—Only so far as I mentioned, that I have staid sometimes at a friend's house in Lancashire, near Preston, and I know that the practice of having excursion trains is considerable there; but still, I should think, not upon any data, but merely as an opinion, that it is greater out of London than any other place, both greater in the number of trains and the number of people going by trains. What I mean is this, there may be an excursion train with 10 carriages, or with 50, or with 100, but I am speaking loosely, and have no means of forming an accurate opinion.

297. With respect to the Act which Sir George Grey introduced in 1864, you say that since that Act has been applied there has been a great diminution in the cases of drunkenness in the metropolitan district?—I think so.

298. Can you tell me the number in the two years before it was put in operation and in the two years after?—I can give the numbers, which do not show so strikingly as I have stated, but one must, in truth, take them a good deal with reference to the increase of population.

299. Do you know when the Act was put in operation?—In 1864; it was passed on the 25th of July, and came into operation immediately, but not so effectively as afterwards.

300. Could you give the number for the years 1862 and 1863, and for the years 1865 and 1866?—In 1862 the whole number was 18,312, and in 1863 it was 17,651. Then in 1865 there was an increase, it being 19,257, and in 1866 it was 18,383. It is very difficult to take the whole number of the cases in the year between one and four o'clock in the morning, and compare it with that of any particular period. I own that I was surprised at those numbers, but I feel no doubt that there has been a diminution of those persons who would have got drunk during the night, and have committed great disorders during the early part of the morning or late at night.

301. Mr. *John Abel Smith.*] There has been no increase of vigilance or strictness on the part of the police officers to account for that, has there?—No, certainly not. There has been greatly increased vigilance as to requiring the closing, and that is a very difficult part of the duty of the police.

302. Have you any idea how many towns have embraced Sir George Grey's closing Act?—I do not know, but it could easily be given.

303. Have you personally any opinion as to the advisability of increased punishment for drunkenness?—I have no opinion as to deterring by punishment for such an offence.

304. Do you think that the punishment is severe enough?—I do not think that any increase of punishment which could be enforced would have the effect of preventing drunkenness. With

regard to that again, I venture to say that sometimes I presume that the London magistrates might apply heavier punishments than they do; they discharge great numbers.

305. Mr. *F. Stanley.*] With reference to Sir George Grey's Act, the 27th and 28th of Vict., 1864, you mentioned that the clause with reference to closing at 12 o'clock on Saturday night, and at one o'clock on the five other nights of the week, was attributable in some degree to a suggestion of your own, and that you had reason subsequently to be pleased with the working of it; was it not the case that the object which you had in view was the suppression of houses in the parish of St. James, in the neighbourhood of the Haymarket, rather than the closing of public-houses generally at that hour?—No doubt the immediate cause and that which excited the feelings of people, without which probably the Act would not have been passed, was the Haymarket, and the locality immediately surrounding it.

306. But that was the object which rather prompted your suggestion, was it not?—Yes, but I claim so far to have suggested the whole; the one o'clock as well as the 12. I had repeated depositions from the parish of St. James especially, complaining very often of the police for the disorders that were occurring in the Haymarket. I pointed out to them, both verbally and by letter, that those were evils that could not be prevented so long as the public-houses were open, and that the only mode that I could see of preventing them was by closing the public-houses, and the closing of public-houses has had a great effect in that respect in the prevention of disorder in the streets as well as of drunkenness.

307. My question was whether that restriction was not rather with a view to suppressing those disorderly houses, than with a view to the restriction of closing public-houses generally at an earlier hour than heretofore?—I think there were two objects in view, but the immediate moving cause was the disorder arising in those places where there were a number of public-houses, and especially the Haymarket; but there were many other places, parts of Oxford-street, for instance, parts of Whitechapel, and parts of the Borough of Southwark, where there were great complaints by the neighbourhood of the disorder which was necessarily incidental to the public-houses being open. For instance, in the case of people who sleep in the Haymarket and such parts of the town, the number of cabs driving about and women getting out, and the loud talking, was a great grievance; the talking was mere loud talking, which the police could not prevent, but no doubt its amount was so great as to cause very great disturbance to the neighbourhood, and people complained that they were unable to sleep. That was true, but it was the combination of noises, which in themselves were nothing more than loud talking.

308. Then your suggestion was rather with a view to the restriction of those places as centres of disorder than as centres of drunkenness?—Yes, that was the principal object, I think.

309. Mr. *Locke.*] With respect to the Bill now before the Committee, which you say you have not read very attentively, it consists chiefly of one clause, and by that clause you will observe that where liquor is sold for consumption on the premises the public-houses are to be shut up for the whole of the Sunday?—Yes.

310. Then there comes a proviso making an exception

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ception to a certain extent in the metropolis; but in that proviso respecting the metropolis it is enacted—"Provided always, that the Act shall not preclude a person licensed to sell any fermented or distilled liquor to be consumed on the premises within the metropolitan police district from selling the same to a person lodging in his house, or to travellers, or to persons *bonâ fide* taking a meal at his house during the time of such meal." In your opinion would not that exclude all those different persons from any such privilege in the country?—I suppose so.

311. In the country, at the present moment, under the law as it exists, not only during the hours in which public-houses are open, but during church time, or any other time during the Sunday, does not a person who is a traveller enjoy the privilege of going into a public-house to obtain refreshment?—He does so.

312. Under this Bill, though probably it does not mean it, might not a court of law rule, and probably would do so, that every privilege that a traveller now has under the present law would be taken away from him unless he went into the public-house, bought an article, and took it off the premises, though probably he had no premises to take it to when off the publican's premises?—It appears to me to be so.

313. In your opinion, has very extensive forethought been given to this Bill?—I hardly presume to give an opinion upon that.

314. Are you not of opinion that it requires, at all events, some revision, by taking out the clause altogether; perhaps that would be the best revision that it would undergo?—I certainly admit that I have not given much consideration to it myself.

315. You are aware that at the present time, under the statute of the 11th & 12th of Victoria, even during church time, a traveller can go into a public-house in the country and obtain refreshment?—Yes.

316. Has your attention ever been drawn to the case which was decided before Chief Justice Erle of Taylor v. Humphries, in the 17th volume of the Common Bench Reports, New Series, at page 547; there was the judgment of the whole Court given by Mr. Justice Erle; and are you aware that in that judgment, speaking of the provisions of the 11th & 12th Vict., which restrict persons unless they are travellers from going into public-houses up to the hour of one o'clock on a Sunday, his Lordship states that that Act reserves the privilege of the traveller, and the decision in that case was a very wide one indeed as to the traveller?—Yes, I am aware of that.

317. And it decided this, that persons walking from their residences in a town to enjoy the country air on a Sunday morning, and in the course of such walk resorting to an inn for refreshment, are travellers within the exception of the 11th & 12th Vict. c. 49, s. 1, although they should be within two miles of their places of abode, provided they do not go abroad for the mere purpose of indulging their propensity for drink; and it then goes on to say that as the exception of refreshment for travellers is contained in the clause creating the prohibition the burden of showing that the prohibition has been infringed, and that the case is not within the exception is cast upon the informer; and if the innkeeper believes and has reason to believe, of which the magistrates are the judges, when he supplies the liquor that he is supplying refresh-

ment to a traveller, he ought not to be convicted?—I believe that is the law.

318. That is the marginal note of that case; but all those privileges would be swept away, would they not, in your opinion, by this Bill, and no traveller would be allowed to go into a house and have refreshment unless he took it away with him out into the street, and that only for three and a half hours during the day?—I see that the other Acts are not repealed, and how far they might still remain in force I do not know.

319. But would not there be a question whether it would not repeal them?—I really do not claim to be an authority upon that matter.

320. I merely say with regard to this Bill, does not it require a good deal of consideration even with regard to that matter?—The Committee are here giving it a good deal of consideration.

321. Are you aware that Chief Justice Erle expressed this opinion: "These provisions are very stringent" (that is the provisions of the 11th & 12th Vict.); "for example, this appellant might have been fined 160*l.*, that is 5*l.* for each guest. They do not bear upon the rich who have refreshment at their command, but they coerce the poorer classes throughout the Island; salutary where they check the disorderly, and pernicious where they molest the discreet; and we consider that by construing the exception in a wide sense we save from vexatious restriction many who have a right to be trusted with self-control, and at the same time leave the prohibition in force as far as the interests of real piety are concerned"?—I am sure that that is very high authority, and I bow most readily to it.

322. You have stated your opinion, have you not, that under the law as it at present exists, drunkenness has diminished, as you have shown from statistics?—Yes, I think so.

323. Do you not therefore agree with Chief Justice Erle, that it is inconvenient to interfere with persons who have a right to be trusted with their self-control?—I am sure that is a very sound principle, but still a good many people have very little self-control.

324. But when you pass a Bill of this sort, whether men have self-control, or whether they have not, they both would be put in precisely the same category?—Yes.

325. And although you might prevent some drunken man from getting drunk in a public-house, who in all probability if he did not get drunk there would get drunk somewhere else, do you think it right for the purpose of preventing that man from getting drunk in a public-house, that those who have self-control should under this Bill be prevented from enjoying themselves in the way they desire?—I see there are these words in the clause, "sold for consumption," and I can imagine the ingenuity of lawyers and judges in deciding the question, whether this enactment with that in another statute does not apply to the case of innkeepers who gratuitously entertain guests with wine, beer, and spirits, so that they would be continually putting forward cases that they were making presents of those things, and it would be very difficult to prove that they were sold.

326. The Honourable Member for Oldham has asked you with regard to the six days' licenses; can you tell us what the price of a license is?—About 17*l.*

327. What would be the diminution in price for

for a six days' license?—I suppose it would be one-seventh, or about 2*l.* 8*s.* 6*d.*

328. Would that amount, if a person were excused from paying, be any inducement to him to take out only a six days' license?—I should think it would operate to a very limited extent indeed, from the reason especially which I mentioned before, that people would be afraid of losing their customers if persons went away to other houses on a Sunday.

329. And at the same time do you not think it would cause great inconvenience in having two sets of licenses?—That might be obviated by some sign, I think.

330. But at the present time is it not the law that a publican must supply within the regular hours, whether he likes it or not; he is bound to do so?—Yes. I would exempt a man who had only a six days' license from being obliged to sell upon a Sunday. Of course he must be open to render it obligatory upon him; you could not compel him to open his house to supply, I should think.

331. Supposing a publican chose to shut up his house on a Sunday, how is the law now with respect to that?—I believe he may do so. I never heard the question raised. I should think that you could not compel a publican to get up in the middle of the night to serve.

332. Mr. *Roebuck.*] If I came into a town and wanted a bed, and saw a public-house with a sign, and I rapped at the door, would not it be imperative upon the master of that house to give

me a bed if he had one?—A public-house is not an inn; that law would apply to an inn, where they are bound to receive travellers, and in the case of an inn I suppose he would be obliged.

333. Mr. *Locke.*] What is the difference between a license to an inn and a license to a public-house; are they not the same?—Yes; but the common law obligation, I take it, is not the same. The common law would require you to supply accommodation to a traveller if you had a bed and held yourself out as an innkeeper. I am rather going out of my depth, but I imagine that it would compel you to get up and supply him with a bed. Almost every innkeeper has a victualler's license, but not of necessity, I believe.

334. Mr. *Roebuck.*] Is not this the difference between an inn and a public-house, that an inn you may inhabit, but you do not inhabit a public-house?—Just so; a public-house may be merely a place where you would walk in and get a glass of beer or gin whilst you stand at the counter.

335. Mr. *Locke.*] Is not that merely because there is accommodation in the one case and not in the other?—There are the sleeping accommodation and other arrangements which I take it constitute an inn.

336. However, the license given to each is given by the magistrates?—Yes; the license for the sale of exciseable liquor is.

337. And that license is taken out when granted by the magistrate from the excise?—Yes.

Sir THOMAS HENRY, called in; and Examined.

338. *Chairman.*] You are the Chief Magistrate of the metropolis?—Yes, of the metropolitan police courts.

339. Your attention has no doubt been much directed to the administration of the law respecting the sale of liquors?—It has.

340. How many years have you been a magistrate?—I have been 28 years magistrate of the metropolitan police courts, and for the last four years chief magistrate.

341. Will you state to the Committee what is your opinion as to the amount of offences arising out of breaches of the liquor law with regard to the cases of persons charged with drunkenness?—I think that the numbers have decreased; I have no doubt that they have.

342. Your court being in the centre of the metropolis, and comprising some of the most crowded portions, you would consider it, would you not, to be a fair specimen of the cases in the metropolis?—I think it would be, but I have also the means of knowing what takes place at the other courts.

343. Does what you have said hold good all over the whole of the metropolis?—I think that it does.

344. Mr. *John Abel Smith.*] Have you any returns?—No, I have no returns; and I would beg leave to say that it is dangerous to trust to mere returns.

345. *Chairman.*] Along with the diminution of the actual cases coming before the magistrates, there has been also, has there not, increased strength in the police, and increased efficiency in the means of bringing the cases to justice?—Yes, but I think that there is less occasion to bring them. If you mean the infringement of the law

with reference to public-houses, there has been less occasion of late years, because I believe that the publicans obey the law with regard to the prohibition as to hours.

346. My question had reference to this; that whilst fewer cases come before you, you would probably consider it to be the fact that the police are able to enforce the law more efficiently now than they were a good many years ago?—Yes; I believe that the police force is more efficient now than it was many years ago.

347. In fact, you consider that there is much less drunkenness and excess in the metropolis at the present day than there used to be?—Yes, I think that the habits of the people have greatly improved; I do not think that that depends upon law or upon restrictive laws; but that the education, the habits, and the tastes of the people have vastly improved.

348. The law has been practically the same with regard to this question, has it not, excepting in the short period of the operation of Colonel Wilson Patten's Act, during the whole time that you have been magistrate?—Yes; the law has been the same practically.

349. Then the diminution which you describe has been taking place under virtually a uniform law?—It has.

350. Should you say that the amount of drunkenness is much regulated by the limitation of the hours?—I think not.

351. In fact, supposing the public-houses were open on Sunday morning instead of Sunday afternoon only, do you think that drinking to excess would not be greatly increased?—I think that there is not much drunkenness arising in the day time; it arises chiefly at late hours of the night,

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and I think that it is very right to have a restriction as far as regards those hours, and therefore I think that the Act of 1864 was the most useful Act that ever was passed for the purpose of preventing drunkenness.

352. But as the inquiry of the Committee has reference particularly to the laws as regards Sunday, do you think that the practice of drinking to excess has been restrained by the limitation of the hours as at present permitted by the law?—Of course all restraining laws to a certain extent have an effect, but I do not think that the diminution has depended upon them; I think that the diminution has depended more upon the improved feelings and tastes of the people.

353. Mr. John Abel Smith.] Why do you think the Act of 1864 so good?—Because the Act of 1864 applied to the hours of the night at which what I might call almost professional drunkards get drunk, and it was very important to restrain them. They have no good feeling or taste, and therefore it was right to have the houses closed altogether so that they should not enter.

354. Chairman.] The hours of sale prohibited in the Act of 1864 were not those at which many respectable persons would have occasion to purchase drinks?—No; there was no occasion for a house to be open at such hours.

355. Do you think that the restrictions which are proposed to be increased by this Bill could be so increased without inconvenience to the respectable classes of the people?—I think not; I think that it would be very inexpedient to pass this Bill.

356. For example, what do you think would be the effect of closing the public-houses between half-past two and eight in the evening, upon persons who may be said to have a legitimate occasion for liquors?—I think that it would be very oppressive, and it would cause great dissatisfaction. It must be remembered that there are an immense number of people in this town who have no sitting rooms, who have no cellars, who have no places where they can keep beer, and who are obliged to go to a public-house for every glass of beer that they want, and if the public-houses were to be closed on Sunday to the extent which this Bill exacts, I think it would cause the greatest inconvenience and would give rise to very just dissatisfaction.

357. During the hours of 10 and 11 at night, do you think that it would make a great difference?—I think it would; I think that 11 o'clock is not an unreasonable hour to have a public-house kept open to. Many persons come home as late as 11 o'clock, and they want some supper before they go to bed; they have no means of getting any supper at home, and they must go to a public-house for it. A great number of people in the districts which I am acquainted with have really no place where they can sit at home; they have merely sleeping places of a very miserable kind, and therefore they are really obliged to go to a public-house to eat or drink.

358. But there are parts of London, are there not, where during the portions of Sunday when the public-houses are open, there are still scenes of drunkenness to a great extent?—I do not think there are; I think that there are more drunken charges on the Tuesday morning than on the Monday morning. Tuesday morning is a busier morning at the police court generally than Monday, although there have been two nights intervening before the Monday morning.

359. You do not think that the disorders still existing from the drunken habits of certain classes of the people are so great an evil as to justify additional restrictions being placed upon the whole of the community?—I do not think that this Bill would diminish the evil, but on the contrary, perhaps, it might increase drunkenness; because, I think that if this Bill were passed, a great number of people would go and buy their gin at the public-house and carry it home, and then there would be drunkenness at home; whereas under the present law the landlords of public-houses may restrain drunkenness; they supply drink to people to a certain extent, but my experience of them is that they do not encourage drunkenness.

360. Now that the houses are closed after a certain hour, is it uncommon for persons to buy more liquor than they want to consume at the moment and take it away with them, because they know that they will not be able to sit drinking in a public-house?—I think that it is not common, because they get all that they want now.

361. But you think that they would do so if the public-houses were closed during by far the greater part of the day?—I think they would not have an opportunity of getting what they wanted, and this evil would arise, that men would go to a public-house, and would club together, and buy, say a gallon of beer, and would carry it into the street, and would drink it in the street; and there would be no law to prevent them.

362. What do you suppose would be the effect upon the state of feeling in London of placing additional restrictions; do you think it would be possible to increase the present restrictions without causing any great amount of discontent?—I think that there would be a very great amount of discontent produced if this Bill were passed.

363. But without saying that the whole of this Bill should pass, supposing the restriction were extended by one or two, or three hours, what would be your opinion?—I think that the present prohibition ought not to be extended; I think that the number of hours during which the public-houses are now open are sufficiently few for the wants of that class of people who must resort to them.

364. Mr. Roebuck.] Do you think that there is any call by necessity, or by public opinion, or by the state of public morality for any increased restriction upon the sale of liquor?—I think that there is not, because, as I have already stated, I think that the public feeling is improving so much without any legislation, that it would be better not to interfere by putting on restrictions that would be deemed harsh and oppressive by a great many.

365. I may put it in this way; do you think that the restriction by law has already gone far enough?—That is the opinion at which I have arrived.

366. And that any attempt by further legislation would be only mischievous meddling?—I think that it would be inexpedient.

367. Do you fancy that any possible good could arise from altering the time at which a public-house might now be opened from 11 to 10 o'clock?—I really do not see that any good could arise from it. It is a matter of speculation whether there might be a few drunken charges less; but, on the other hand, it would certainly give rise to great inconvenience to persons returning

turning home between 10 and 11, and wanting, as I stated, to get some beer for their supper before they go to bed.

368. So that the possible good that might be done would, in your mind, be overbalanced by the real evil which would arise?—That is what I wish to convey; I think that 11 o'clock is not an unseasonable hour, but beyond 11 would be so.

369. With regard to an opinion which was put forward by Sir Richard Mayne, do you think that drunkenness is repressed by wretchedness or increased by it?—When there is great distress, as there was at the commencement of this winter in the eastern part of the town, there certainly were fewer cases of drunkenness. There is no doubt that people had not the money to go to the public-house with, and there certainly was less drunkenness. We know, on the other hand, that many of the poor, when they are under any troubles, are very apt to give way to drink in order to drown their grief as they call it; more especially with women. We find that that is the case very often with women who are suffering from many causes; that they are very apt to leave their wretched homes and resort to the public-house to get some gin, even although, as it very often happens, they have to pledge their shawl to obtain the price of their gin.

370. So that wretchedness, if it be not carried to the extent of absolute pauperism, would tend to increase drunkenness, by increasing that desire to drown care which you have spoken of?—That does not apply to all people. I do not think it applies to men, especially; poor men who are out of work do not get drunk so much. I can say that of my own knowledge. We find that when men are out of work there are certainly fewer cases of drunkenness.

371. In considering restriction itself to be an evil, do you think that restriction has been already carried far enough to do all the possible good that restriction can do, and that further carrying it on would be merely to increase the mischief?—I think that to carry it further would be inexpedient. That is the best word that I think I can use.

372. Mr. *Horsfall*.] You spoke of a decrease in the number of cases of drunkenness; do you think that that arises from any alteration in the system of reporting the cases on the part of the police?—No, I think not, because we should hear of it in various ways quite apart from the returns. We hear of drunkenness in various ways; and I have no doubt that it has diminished. I attribute that chiefly to the improved education and good feeling of the people generally; not to restrictive laws.

373. *Chairman*.] You think that men are more ashamed of being drunk?—Yes, they are.

374. Mr. *Roebuck*.] In fact you think that there is a higher morality?—Yes, there is.

375. Mr. *Baines*.] Do you think that prolonged hours of opportunity of drinking lead to intoxication more than short hours?—I think not; I think that there is a certain class of drunkards that will get drunk whether he has three hours to do it in or one.

376. Then do you think that the diminution of the hours of the opening of public-houses, from 24 hours to 8 hours, has not been attended with a considerable increase in sobriety or a diminution of drunkenness?—I do not think that it has; for example, as the Honourable Chairman put to

me whether, if the public-houses were open on Sunday morning, I thought drunkenness would be increased; I do not think it would, because, as I said, people are not disposed to get drunk during the day-time. It is very seldom that we have a charge of drunkenness brought while the court is sitting during the day; the drunkenness arises at night, and the worst class of drunkenness arises after 1 o'clock in the morning, or used to do before 1864.

377. Do you think that the condition of the working classes, including the condition of their wives and their children, including food, lodging, clothing, and education, would be improved or not improved, by diminishing the hours of opening the public-houses from 11 to 10 at night?—If I thought that it would be improved, I should be very glad to see the hours shortened, but I think that it would not improve it; I think that what is wanted is better places for them to sleep and live in.

378. Then you do not agree with Sir Richard Mayne in his opinion, that the restrictions which have taken place hitherto have operated in the direction of virtue and comfort amongst the working classes?—I do not say the contrary of that, but I perhaps have more opportunities of seeing the people than Sir Richard Mayne.

379. And, as far as your opportunity goes, as I understand you, you express a diametrically opposite opinion to Sir Richard Mayne upon that subject?—I do not say a diametrically opposite opinion.

380. That is the bearing of your evidence, is it not?—I say that sobriety has been brought about, not by restrictive laws, but by improved education and feeling.

381. May it not have been by both; is it not probable, looking in the larger view at what has taken place in the country, that the improved education and improved feeling have been aided by the great diminution of temptations?—It is a matter of opinion upon which I can only give you mine.

382. And that is, that the great diminution of temptation has had no effect whatever?—I think that it has been more from the people seeing the advantage of not giving way to drink so much as they used to do.

383. Mr. *John Abel Smith*.] What is your observation as regards the drunkenness of women?—It varies in different districts; in the Bow-street district there is almost as much drunkenness among women as there is among men; and a worse kind very often, for they resort to that habit of going to the public-house, and getting gin in a bottle, and going home and drinking it in a miserable bed-room, three or four of them together; and then some or all of them are brought to the court in a state of drunkenness.

384. Do you think that the non-drinking on the premises conduces to drunkenness in the case of women?—Very often it does; they resort to that practice.

385. Is that the rule?—It is not the rule; the majority of them drink at the bar; but I merely mention that fact to show that it would be open to them under this Bill to resort to that practice generally of going and buying gin, and then drinking it either outside the door or in their own lodgings.

386. As chief magistrate of London, what is your opinion with regard to the arrangement or preparation of crime by people associating together

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ther in public-houses?—I do not think that they prepare for crime in public-houses; they are too clever for that. Quarrels arise in public-houses and outside public-houses, but they do not meet to combine or conspire to commit crime in public-houses.

387. What is the ground upon which you form your opinion that drunkenness has diminished?—From my opportunity of seeing and remembering what has taken place at my own court for the last 28 years, sitting almost every day.

388. Have you brought any returns with you?—I have not; I knew that Sir Richard Mayne was to be examined, and he told me that he would bring all the returns that could be necessary; he has the means of presenting more complete returns than I have, because he has the whole of the metropolitan district under his control, and he can therefore give you the returns from every district. But, as I said, I think it is dangerous to rely too much upon returns as to drunkenness in this year or another year, because drunkenness depends very often upon the condition of the people during a certain year; for instance, if there is very great distress there is less drunkenness; and there are drunken seasons of the year; we know very well that June, July, and August are months when there are more drunkards than in the winter months. There are more robberies in the winter months, but more drunkenness and more assaults during the hot weather.

389. You expressed a very strong sense of benefit that has been conferred upon society by the Act of 1864?—I do; I think that that Act was most beneficial; but then that Act restrained at the hours when I say public-houses ought to be restrained; that is, during the unseasonable hours between one and four in the morning.

390. At what hour do you think the restraint ought to begin?—I think that it ought to begin at 12; I was anxious when that Bill was brought in, that it should have been twelve instead of one; but there were reasons which rendered it desirable, perhaps, not to have it at 12; people do not get home from the theatres, and so on, until that time, and therefore one o'clock was fixed; but I should think that the greater the number of people that are in bed by 12 o'clock the better. I should think it would be a good thing if most people endeavoured to be in bed by 12 o'clock, especially those who have to get their living the next day.

391. And you would legislate, would you, upon that foundation?—I should like, if I were fixing the hours at all, to be guided by that.

392. Then if you would interfere as much as that, the mere fact of restriction has no terrors to you?—Not to me, but it has an effect upon that class of persons that I say particularly require restraint; namely, a certain class of persons who will stay out all night if they have an opportunity of going into the public-houses; therefore it becomes necessary to restrain that class of persons; they are the most troublesome class of persons that we have to deal with in this town, and they have been greatly restrained by that Act.

393. Is not the distinction between them and the less drinking class a very indefinite one?—No, I think it is a very marked one.

394. What is that distinction?—I could easily point out the line; I know a certain class of persons that begin, I may say, their day at 12 o'clock at night.

395. Have you ever turned your attention to the practical working of the Act of 1864?—Yes.

396. What do you think it has been?—It rendered it impossible for that class of persons to get drunk during those hours, and therefore the charges which used to arise from their misconduct were at once diminished; I may say, cut away. The very week after that Bill came into force we saw the change in all our courts, especially at the west end of the town.

397. Could you give the Committee any return showing that?—I could not, for, as I said before, I have never attached such importance to returns as to induce me to keep returns of that kind.

398. Do not your clerks keep returns?—There are returns of the number of drunken cases, but there is this difficulty with regard to returns, and you will find that difficulty with regard to the returns put in by Sir Richard Mayne. There is what we call simple drunkenness, "drunk and incapable," as it is entered on the charge sheet, and there is "drunk and disorderly," and it is very difficult to know exactly where disorderly conduct begins. There is a difference as to the fine for drunkenness; a man who is simply drunk and incapable is only liable to a 5 s. fine, and a man who is drunk and also disorderly is liable to a 40 s. fine, and the magistrate has to determine whether in addition to his drunkenness he was also disorderly; or rather, to use the words of the Act of Parliament, guilty of indecent or riotous conduct. It is commonly called disorderly, but these are the correct words: "who, while drunk, shall be guilty of indecent or riotous behaviour."

399. Are you personally in favour of an increased punishment for drunkenness?—Yes, I think it would be desirable that the magistrates should have discretionary power to inflict a larger fine than 5 s. upon persons who are in the habit of getting drunk. We sometimes have persons who make a habit of getting drunk, and who are brought to the police court sometimes three or four times in the month, what I call habitual drunkards, yet they are always quiet while drunk, and therefore no greater fine than 5 s. can be inflicted upon any of them.

400. Mr. *Hibbert*.] Cannot you send them to prison under the new Act?—No, not when they are simply drunk. I am aware that some magistrates think that under the Small Penalties Act there is that power, but I should be very sorry to try that question.

401. Colonel *Fane*.] If he cannot pay the fine of 5 s. you can send him to prison, can you not?—I think not, and the majority of my colleagues are of that opinion also; but it has never been tested in the Court of Queen's Bench.

402. Mr. *John Abel Smith*.] Is not a fine a restraint?—Yes. I think it ought to be a restraint; but a man that gets drunk is not restrained merely by punishment.

403. Then you do not see any advantage in restraining men from getting drunk?—I do, if I was certain that it would have that effect without putting other people to inconvenience; but I think it would be wrong to close the public-houses during the afternoon of Sunday for the sake of preventing, we will say, 20 people from having an opportunity of getting drunk, and putting 5,000 or 10,000 people to inconvenience.

404. Then if the community were in favour of further restriction, you would think that desirable?

able?—I must bow to that; but the question is how that is to be tested.

405. How is the other to be tested equally; how is your opinion to be tested?—It is for the Committee to judge whether it is worth anything or not.

406. I mean that in both cases it is a mere matter of opinion?—Yes, I admit that.

407. You say that drunkards begin to drink, or ought to begin, at 12 o'clock at night?—No, I say that they generally do, especially the worst class of drunkards.

408. But they now are unable to find the means of drinking after one o'clock in the morning?—Yes, that is so.

409. Do you think that that is a wholesome restriction?—Most wholesome. I am most favourable to a restriction of that kind.

410. Still you are against that restriction beginning at 10?—Because I think that it would put too many people to inconvenience up to 11 o'clock; after that, I think it ought not to put anyone to inconvenience.

411. Those gentlemen did not want to drink much before 12?—Just so; that class of persons did not want to drink much before 12.

412. Upon general grounds, have you any reason to give to the Committee for the opinion you have expressed as to the great general improvement which you think you have noticed?—I am in the habit of observing all persons that come before me, and I have an opportunity of course, in a police court like Bow-street, of knowing what the habits of the people are, and hearing what they are, and I found my opinion upon that observation.

413. Do you think that crime has diminished generally?—I think that it has.

414. Have crimes with violence increased or diminished?—I should say, considering the great increase of population, I do not think that they have increased in proportion. There are certainly, or there have been, some very bad cases of violence and garrotte robberies at times, but, generally speaking, I think that crime has diminished.

415. And you doubt altogether whether public-houses and beershops are used as places where crime is concocted?—I very much doubt it indeed. There are some very low beershops and places where occasionally thieves do meet, but I do not think that they concoct their plans much there, because they would be found out if they did; they go to more private places.

416. Is there any difference in the habit of people between London and the rest of England, or do you know anything of the other districts of England?—I was on the northern circuit for 10 years before I was made a magistrate, and I went to all the assize towns, but as that was 28 years ago I cannot speak so confidently as to what the habits of people are now; but I recollect of course what the habits were at Leeds and York, and other places, upon that circuit.

417. Their habits are much the same as in London, are they not?—In all large towns, I believe, there is no very great difference. I dare say that there is not much difference between the habits of London and those of Sheffield or Leeds.

418. And you are not prepared to accept as a correct statement of the present state of things in England, that in the large towns the majority of the working men are in favour of further re-

straint?—I must ask you to define what you mean by further restraint.

419. I mean further restraint as regards the hours and facilities of obtaining drink?—I should be surprised to hear that there was a majority in any town in favour of restraining to a greater extent than the prohibition now extends.

420. You do not believe that it is so?—No, I do not believe that it is so. I think it would be very difficult to poll any town to test that feeling.

421. Then you do not believe it exists in London?—No, I do not believe that it exists in London.

422. Have you ever had any intercourse with any large bodies or classes of working men in London upon that subject, or upon any other, either by meeting them, or talking to them, or hearing of their wishes and aspirations?—I hear their wishes and sentiments very often, but I have never had express meetings with them.

423. Have you ever heard anything about those meetings?—I think if you will observe the number of people who are waiting for a public-house to open at one o'clock every Sunday afternoon, you will see at once what great inconvenience would be felt if the hour were retarded until two.

424. Why would they necessarily be inconvenienced?—You see well-behaved and respectable people waiting at one o'clock every Sunday afternoon outside every public-house almost in the metropolis to get their beer, and the men start off from the different public-houses with their cans of beer to supply all their customers within a minute after one o'clock, and if that were deferred until half-past two, I believe they would be put to very great inconvenience indeed, and would be very apt to cry out.

425. *Chairman.*] You have not quite apprehended the proposal in the Bill; it means that they are only to be open from one until half-past two, and then from eight to 10 in the evening?—Then it is not worded so as to convey that meaning. If that is the meaning of it, of course my observation would not apply; but any restriction of the present hours, I should think would be attended with inconvenience.

426. *Mr. John Abel Smith.*] Are you aware what the principal object of the Bill is?—To diminish drunkenness on Sunday; I infer that that is the object. I have never had any communication with any Member of the Committee as to what it is.

427. Have you read the Bill?—Yes, I have read it, but I did not know with what object I was to be examined as a witness. I inferred that the object of this Bill was to diminish drunkenness on a Sunday.

428. Supposing you were told that the object of the Bill was to prevent drinking on the premises on Sundays, would that affect your conclusion?—I think that it would be very wrong to prevent drinking on the premises on a Sunday, and for this reason, that there are an immense number of persons in this town who have no other place where they could drink; they must either drink in the public-house or else drink in the street or in some miserable bedroom, where there would be six or eight of them perhaps sleeping together at night. And then, I say, that it is better that they should drink at the bar of a public-house, under the eye of the landlord, who

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is amenable to the magistrates if he suffers drunkenness in his house; and I say, again, that the majority of landlords of public-houses in this town do not encourage drunkenness, but, on the contrary, I believe they discourage it; they wish to keep their houses in a respectable manner and to insure the renewal of their licenses every year.

429. I presume there is no question whatever that drunkenness is worse under evasion than without it?—That is so, and I think it would be the effect of this Bill that you would have drunkenness under evasion, and you would have the inconvenience of men drinking actually in the street, because it would be legal, under this Bill, for a landlord to give a pot of beer to a man in his house and to let that man walk outside, within half a yard of the house, to drink that pot of beer.

430. And do you think that the drinking under evasion would be carried to such an extent that it would be larger than the drinking now without any restriction?—I am afraid it would, because they would not know exactly what quantity to ask for; two or three of them perhaps would club together and would ask for a gallon of beer and carry it off to some place, and so women would ask for gin in larger quantities perhaps than they would take if they had an opportunity of taking it by the glass at the bar of a public-house.

431. Mr. *Hibbert*.] Did you give evidence before Mr. Berkeley's Committee?—No, I never gave evidence upon this subject before.

432. Were you a police magistrate at the time when Mr. Wilson Patten's Act was passed?—Yes, I have been a magistrate since 1840, but I have never been examined as a witness upon the subject of licenses or public-house trading by any Committee before.

433. Can you call to remembrance at all the effect which that Act had upon drunkenness upon the Sunday?—No, it was a very short time in force, and I do not think that we noticed any great change. I never recollect that it was the subject of conversation among the magistrates. We meet quarterly, and talk these things over very often, and I have returns from all the courts, and if there had been any very great change I think I should have heard of it.

434. Would you believe that this was a true account of the state of things, which was printed in July 1855, when the Act was in operation: "At the Bow-street court, the operation of the new Act had a marked effect upon the business of the court on Mondays; before, the proceedings of Monday were almost exclusively confined to drunken charges; frequently as many as 70 cases were heard in succession, and generally about two-thirds of the offenders were women, while more than half the entire number were taken to the police stations after 10 o'clock on the night of the Lord's Day. On the first Monday subsequent to the passing of the Act, however, only one drunken charge was received in the district after 10 o'clock; on the following Monday there was not a single case received; and the prison vans left Bow-street, for the first time within the experience of the magistrate, without conveying a prisoner of any kind from the court. On the following Monday again there was only one case of drunkenness, which had been received after 10 o'clock the previous night." This is taken from a paper published, in July 1855, by the Society for

Promoting the due Observance of the Lord's Day?—That is what I call a sensational article. It is unfair to judge of the state of drunkenness from the number of charges on any one day at a police court. For example, if it is a very wet night we have very few charges the next morning; people do not go out.

435. Do you believe in those returns which were given by Sir Richard Mayne with respect to the working of that Act during the first six months after it was in operation?—I have ventured to say, once or twice, in giving my evidence to-day, that I would almost warn the Committee against attaching too much importance to returns; I could not assist the Committee in any way by returns; the same person is frequently charged with drunkenness 30 or 40 times in a year, and the returns would lead to the supposition that there were 30 or 40 different persons, whereas there was only one person.

436. Do you know that Mr. Hall, who was the magistrate of Bow-street at the time, gave evidence before Mr. Berkeley's Committee to show that drunkenness on Sunday had been very much decreased by the operation of Mr. Wilson Patten's Act?—I was not aware that he had given evidence to that effect.

437. Will you allow me to call your attention to this remark. He was asked, "Do you consider that drunkenness on Sunday has been checked, or the contrary, by this Act?" To which he replied, "I think it has been checked; there are fewer charges at Bow-street than we used to have before the Act came into operation." He was then asked, "Do you consider that entirely attributable to the operation of this Act?" And his answer was, "I can assign no other reason; I am strongly impressed with the notion that it is attributable to the Act, for I perceive that very shortly after the Act came into operation a check was given to the number of the charges which were brought before me on Mondays?"—If the Committee had asked Mr. Hall whether the number of charges on Tuesday morning were not greater than on Monday morning, I think he would have been obliged to say that the charges were greater on Tuesday than on Monday.

438. You do not think it is necessary to treat the Metropolis in a different manner from the country in respect to the restriction on Sunday trading?—No; if the law be good for the Metropolis, it ought to be good for the whole country.

439. You have referred to Sir George Grey's Act of 1864, and you spoke very favourably with respect to the operation of that Act; that Act, I believe, is put into operation in the country by the local authorities; it is not made compulsory?—I am aware of that.

440. Would you think that the same power could be given to the local authorities to deal with the closing of public-houses on Sunday?—I would not give that power to the local authorities. I think it would be invidious to throw upon the mayor, or any local authority, the power of fixing the hours for closing public-houses. I think it is better that the Legislature should do that.

441. I presume you are aware that that power was given to the local authorities, in the Act of 1864?—Yes, but I think that it was an invidious power to give; and I should think that all the local authorities would be very glad not to have that power.

442. Mr. *John Abel Smith*.] Do you know how many

many local authorities exercise that power?—I do not know exactly. There was a very great difference of opinion, when the Act was passed, amongst the local authorities, whether they would adopt it or not; but I understand that it was adopted in most of the large towns, and that it gave great satisfaction. I have not followed that up by inquiring whether more towns have adopted it or not.

443. Mr. *Hibbert*.] Do you remember whether there were not greater objections to the operation of Mr. Wilson Patten's Act, as to closing the public-houses between five and six, than to closing them between 10 and 11?—Yes. That was found to be inconvenient, and I fancy that was one of the reasons; but I do not like to speak positively upon that point now, because it is a long time ago, and I do not know exactly what reasons may have operated.

444. Do you think that if public-houses were closed at an earlier hour, say at nine or ten o'clock in the evening, without interfering in any other way, that would inconvenience any very large number of people?—I am certain it would inconvenience a very large number.

445. What particular class do you allude to?—All the working people who lodge in the poorer parts of the town, who, as I said before, have no means of having cellars or having any stock to draw from, and are obliged to go to the public-house for every drop of beer they want to drink, and of course the Committee know that the working classes are a beer-drinking population.

446. You refer to drawing beer for supper?—Yes.

447. Would not that be over before nine o'clock in the evening?—Not at all; there are many people who sup much later than that, and they are very fond of having their beer just before going to bed.

448. Have you found any difficulty in carrying out the present restrictive system in the metropolis?—None at all.

449. Is there a difficulty in proving cases?—No, the law is very well observed. I have had no difficulty with regard to the difficulty which Sir Richard Mayne alluded to in proving the actual sale; he seemed to throw some blame upon some of the magistrates, but that is hardly just, because the magistrates are regulated by the decisions of the Court of Queen's Bench, and in one of the decisions that Court held that there ought to be proof of the sale. Of course we must bow to those decisions; I do not mean to say that we may not infer that there was a sale if we found that there were persons drinking at, we will say, two o'clock in the morning, that is, two hours after the house ought to have been closed, then we may infer that the beer was sold after 12 o'clock.

450. Are not many cases dismissed owing to the difficulty of proving the sale?—I think not.

451. Do you think it desirable to alter the law in that respect?—I think there is no occasion. I think it would be difficult to frame the law so as to obviate that difficulty, and I do not think there is any great occasion for it.

452. Mr. *John Abel Smith*.] Do not you think that people, when they go in to drink in a public-house drink very often more than they intended to do when they went in?—I dare say they do; but I have always observed that in the cases that have come before me that the landlords are in the habit of saying, "Now, my man, you have had 0.69.

enough." When a man is getting half drunk and asks for another glass, respectable landlords of this town say, "No, you have had enough, you will render me liable to a penalty if you get drunk upon the premises, and I recommend you not to have any more, but to go away." Sometimes disputes arise because the people are refused by the landlords; a man that is getting a little the worse for drink, and wants more, is not satisfied with that answer, he goes outside and breaks a window; but if that man had an opportunity of drinking at home I have no doubt he would drink much more; the class of persons addicted to drink is, to a certain extent, controlled by the landlord; and, therefore, drinking at the bar is preferable to drinking off the premises.

453. Mr. *Locke*.] Have you looked at the first clause in this Bill?—Yes, I have read it.

454. What is your opinion as to the construction of that clause with reference to its restriction to *bonâ fide* travellers; in the first place, would the proviso apply to public-houses in the country?—No, as the Bill is drawn, it would not.

455. What do you think would be the effect of the Bill upon public-houses in the country?—It would be for the court to say whether that is what is called an implied repeal of the previous Acts; the other Acts are not expressly repealed; but the question is, whether it would amount to an implied repeal; I am inclined to think that the Court of Queen's Bench would say that it did not; but it is open to an argument; and no doubt, if the Bill goes on, it would be very desirable to cure that, because undoubtedly it is open to argument.

456. As I understand the honourable Member for Chichester, it is not intended to interfere with travellers in the country; but your opinion is that it would be open to argument?—Yes, it would be open to grave argument; and it might be put that it is impliedly a repeal of the previous Acts, though not expressly so.

457. Seeing that the words are "to the whole of the said days"?—Yes, and you know, of course, the doctrine of implied repeal.

458. You have been asked whether there ought not to be a restraint upon the person who gets drunk on Sunday; do you think there ought to be a restraint upon the person who does not get drunk on Sunday?—I do not know what sort of restraint the honourable Member alludes to.

459. The restraint that this Bill would give, saying that the public-houses should be shut up all day on Sunday?—I think that I have already sufficiently intimated my opinion.

460. You think that such restraint should not be put upon an innocent person for the sake of a few guilty persons?—Yes, that is the foundation of my opinion.

461. You observe that the restriction under this Bill would be so extensive that beer from a refreshment bar or anything else could not be taken, to be consumed off the premises, after half-past two o'clock until eight o'clock at night, and then the house would be open again from eight until ten: do you, or do you not think that in the case of persons who wanted to get beer, because being in draught it cannot be kept in a house for any length of time without getting flat, and people must have it fresh from the public-house, a great number would be very much inconvenienced if they were obliged to take their meal at home, when they have beer with

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with it, either before half-past two or between eight and ten o'clock at night?—The hours are too limited, I think.

462. You say that a great number of people are to be seen outside the public-house at one o'clock every Sunday waiting to get their beer; that is as soon as they could go there, is it not?—Yes, they are anxious to have their luncheon or their dinner immediately after church.

463. And would not they likewise be desirous of getting their beer between half-past two and eight; are there not a great many people who dine between half-past two and eight?—Of course, from various causes the hours of dining and supping vary very much, and, therefore, there ought to be a greater opportunity of getting beer than there would be under this Bill.

464. Under this Bill everybody would be compelled either to dine before half past two if he wanted to get any beer from the public-house for his dinner, or after eight o'clock at night?—Yes; I can only repeat that I think the hours are too limited.

465. You think that the hours, as at present fixed, answer the purpose in a reasonable manner?—I do; and I think they are not too liberal.

466. Mr. John Abel Smith.] Have you ever taken any trouble to make yourself acquainted by personal inspection, with what goes on in the public-houses on Sunday evening?—Yes, when I was first appointed a magistrate, I visited almost every public-house in the district, and also the pawnbrokers' shops, and all other shops and all other places that were likely to become the subject of any discussion in the cases that arose before me; therefore I know the habits of the people who frequent such places.

467. Have you ever been in those public-houses on Sunday evening?—Yes.

468. And you never saw anything objectionable?—Very seldom indeed; the police are

watching the conduct of all the public-houses, and very ready to take out summonses if there is anything like disorderly conduct apparent.

469. Mr. Locke.] You state that on Tuesday mornings there are more cases of drunkenness than on Mondays; how do you account for that?—Because the Monday is made a great holiday by several trades in London. There are a great many tailors and a great many shoemakers who do not work at all on Monday.

470. Does that arise, in a measure, in consequence of their not being able to take such recreation as they please on the Sunday?—No, it does not; they like to have another holiday, but they insist upon the masters giving them the same wages. They make a holiday of the Monday, and go out of town; no doubt the facilities for getting out of town, going down to Gravesend and other places, have increased so much, that the men are very apt to spend Monday as a holiday. The love for holiday making is increasing.

471. Do you think it would be a good thing that if public-houses are opened on the Sunday, persons should be allowed to go into a place of innocent recreation on the Sunday?—I think it would be a very good thing.

472. I mean, places where there is no drinking at all?—Yes, a very good thing.

473. That they should have an opportunity of going into gardens and so forth, where they might walk about and enjoy themselves?—Yes. Unfortunately, there are very few such places. Although that does not bear upon this Bill, I think it would undoubtedly be a good thing; I am in favour of permitting all that sort of amusement as much as possible.

474. But such facilities, you think, would not increase drinking?—No.

475. On the contrary, they would tend to do away with it?—Yes, certainly.

Friday, 24th April 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. John Bright.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Horsfall.

Mr. Locke.
Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

THOMAS BORROW BURCHAM, Esq., called in; and Examined.

476. *Chairman.*] You are a Magistrate of the Southwark Police Court?—Yes.

477. How many years have you been a police magistrate?—Twelve; I was appointed 11 years last October.

478. You are aware of the subject of consideration by this Committee, namely, the Sale of Fermented Liquors on Sunday Bill?—Yes.

479. You have no doubt often had occasion to consider the laws relating to the sale of liquor?—Undoubtedly, in the course of my practice as a magistrate.

480. In your experience of late years, is it your opinion that the number of offences against the liquor laws has been on the increase or the decrease?—My impression is, that at least during the last two years the number of cases of drunkenness brought before me has considerably diminished.

481. And is it your opinion that that indicates, or that it is also accompanied by, a diminution in the number of actual offences?—I have reason to believe so.

482. Mr. John Abel Smith.] Have you any returns of cases with you?—No.

483. *Chairman.*] Would the observation which you have just made, apply to cases arising on Sunday as well as those on other days; for instance, as regards the business occurring in your court on Monday?—Yes.

484. You are of opinion that the offences connected with drunkenness arising out of or connected with drunkenness, are diminishing upon Sundays?—Undoubtedly.

485. Do you think that that reduction is in consequence of the restrictions of the law, that is to say, that the cases of drunkenness on Sunday are fewer in consequence of the smaller number of hours during which public-houses may be open?—That is a question which I am not prepared to answer. The reduction may be owing to other circumstances, for what I know. I have no reason for believing either one way or the other that the diminution is owing to the restrictions in the trade in liquor.

486. Have you formed any opinion as to whether drunkenness might be further diminished by further restrictions being placed upon the sale
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of liquor on Sunday?—As far as my own private opinion goes, I do not think that it would.

487. What in your experience has been the result of the Act of 1864, Sir George Grey's Act?—I believe that the better condition of the lower classes in that respect, is not owing so much to any legislative enactment as to other causes which may be operating upon them.

488. What are those causes to which you refer?—I think an improved state of morality, and a great increase of education among the lower classes.

489. Do you think that there is more shame felt amongst the working classes at drunkenness than there used to be?—That is a question which it would be very difficult to answer; but with respect to the classes that may properly be considered the working classes, as far as my own experience goes, I do not think that drunkenness to any extent does prevail among them.

490. Can you not state whether in your opinion the Act of 1864, which compelled the earlier closing of public-houses particularly on Saturday night, has or has not diminished the number of cases coming before you?—That really is a question to which I could not give any answer which would be satisfactory to my mind. Even supposing that such a fact exists as that which I have mentioned, it would be very difficult to ascertain the especial cause to which that fact is due. That may be one, and there may be other causes as well as that which are in operation, and are likely to produce such an effect.

491. You have no opinion as to, whether the provisions of this Bill, or some of them, by means of which the hours during which public-houses may be open on Sunday may be restricted, would be likely to diminish drinking to excess?—No, I do not think I have sufficient data upon which I could form an opinion; at least, not data sufficiently certain.

492. Is it your opinion that putting restrictions on the sale of liquor has the effect of diminishing the practice of drinking, or do you think that the hours at which the sale is still lawful would be only taken advantage of more greedily?

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greedily?—As I stated before, I have my doubts whether those restrictions with respect to the hours have so much effect as many persons believe.

493. Do you think that the placing of heavy restrictions upon the lawful sale of liquor would tend to encourage illicit sale on Sunday, or do you think that the police regulations are sufficiently strong to guard against that?—I think that the police regulations are sufficiently strong to guard against any such contingency.

494. Then you would not be afraid that the placing of additional restrictions upon the hours of sale would tend to encourage illicit sale, and such evasions of the law?—I am not in favour of imposing greater restrictions than what exist at the present moment.

495. Mr. Roebuck.] During the time that you have been a police magistrate, there have been changes in the law respecting the opening of shops for the sale of liquor; as for example, in the year 1864 the hours were restricted on Saturday night; directing your recollection to that, are you at all aware, in your own mind, of having found a diminution of crime of that sort resulting from that Act?—I think I have stated that within the last two years there seems to me to have been a considerable diminution in the cases of drunkenness.

496. But that you attribute, do you not, in a great measure to other causes than mere restriction, namely, an improved morality of the people, improved education, and better habits generally amongst the working classes?—Those are causes undoubtedly to which I attribute it; there may be other causes, and the Act of Parliament may also have had that operation.

497. In your own mind can you trace any connection between that improved morality and general character of the people and any specific legislation concerning the Sunday?—Certainly not; not as acting directly as a cause, and not in conjunction with others.

498. You say that within the last two years there has been, using the general word, an improved morality amongst the people?—Yes.

499. During that time has there been any change in the law?—There has not, I think, been any change in the law since 1864.

500. But the time which you pick out as a time of improvement has been since the passing of that law, two years ago?—Yes.

501. So that, that being the case, you cannot in your own mind, I presume, attribute any great effect to the operation of the law in bringing about that change in the people?—No. It may be a little more than two years, but certainly not much more, that I have remarked that diminution in the cases which have been brought before me as a magistrate at the police court of Southwark.

502. Within the area of your district of the town, is there much Sunday trading?—I think not; I am not quite sure whether I am to understand the question to refer to Sunday trading in beer and other liquor, or Sunday trading generally.

503. To what is called Sunday trading generally?—There are, in certain districts, shops open on Sunday morning; for instance, in the New Cut, for the sale of vegetables, and, generally speaking, for necessaries; but, with those exceptions, I do not think that Sunday trading is at all common.

504. So that, in fact, so far as your district is concerned, there is no necessity for further legislation even upon Sunday trading?—No.

505. And therefore I think, *a fortiori*, we may conclude, as far as your district is concerned, there is no necessity for further legislation regarding trading in drink?—That is my opinion.

506. I presume you have very large experience; all cases of drunkenness which take place on the Sunday I suppose come before you on Monday morning?—I have sat in the course of my time a great many times on the Monday morning, but I do not always sit on the Monday morning; perhaps during the time that I have been at the Southwark police court, I may have sat one-third at least of the Mondays which have happened in that period.

507. Has it occurred to you, in your experience as a magistrate, to find that there has been a greater amount of drunkenness brought before you on the Tuesday morning than on the Monday morning?—On the Monday morning there are the cases brought of two nights, the Saturday and the Sunday, on the Tuesday morning, of course there are only the cases of the night before, but taking the two nights, Saturday night and Sunday night, and comparing them with any other two days in the week I do not believe that there is a larger number of cases brought forward on Monday morning than would be brought forward in the case which I have supposed.

508. And that, notwithstanding that the working man generally receives his wages on Saturday night and Sunday, is an idle day?—Yes, certainly.

509. Both which circumstances would have a tendency, would they not, to increase drunkenness if that tendency were in the people's mind?—Yes; I may say, with respect to the opinion which I have just expressed, that it is an opinion which I have frequently expressed during the last year and more.

510. Taking your view of what morality ought to be, would you say that there was anything disgraceful in the habits and manners of the working classes in your district on the Sunday?—No.

511. And therefore putting it in a short compass, in your view there is no necessity for further restraining laws to endeavour to put restraints upon the people under the notion that thereby you are about to increase their morality?—That is my opinion.

512. Mr. Horsfall.] I think you stated, did you not, that it was your opinion that drunkenness did not prevail among the working classes to the extent to which some people suppose?—Yes, that is my opinion.

513. Do you make that statement from your own observation or from what you have heard?—I make it from my own observation principally.

514. From going into those parts of your district where drunken persons would be likely to be seen?—From what I have observed in London and other places, but more especially in London on a Sunday.

515. How many cases of drunkenness on an average are brought before you daily?—That I cannot answer; I have not ascertained it.

516. Do you know the number brought before you in the course of a year?—No, I do not.

517. Do you know the number of public-houses

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houses in your district?—No; it is a very large district, containing, I suppose, nearly 250,000 people.

518. Can you give anything like an opinion as to the number?—No, I could not; it would be quite a venture.

519. And you cannot tell, of course, the number of persons employed in those public-houses?—No.

520. But I presume you would be of opinion that if those persons could have more of the day of rest to which they are entitled (I speak of Sunday as a day of rest), it would be a very desirable thing?—Undoubtedly, cessation from labour and a day of rest is very desirable to all classes.

521. When asked about Sunday trading, you stated, I think, that there was no amount of Sunday trading in your district?—No considerable amount of Sunday trading; at least, I think not.

522. Only for what you call the necessaries of life?—Only for what I would call the necessaries of life.

523. When you speak of the necessaries of life, do you speak of what you consider the necessaries of life, or what the law considers the necessaries of life?—I speak not of what I consider to be the necessaries of life, but I speak in reference to what I suppose to be the common acceptance of the term.

524. There is a legal term, that is to say, there are certain articles defined by law as necessaries of life, and which are allowed to be sold; do you speak of those necessaries, or of those which you consider to be necessaries of life?—I do not know of any legal definition of necessaries of life.

525. There are certain articles specified by law which are allowed to be sold on Sunday?—I do not know whether the honourable Member means the Act of Charles the Second.

526. I do not know what the Act is; but the articles are defined which are now allowed to be sold by law; do you speak of those articles which are allowed to be sold by law, or which you yourself consider the necessaries of life?—I am not aware of any particular articles which are laid down by law as being necessaries of life.

527. For instance, milk and fish are both allowed by law to be sold on Sundays?—Yes; those would be included in the general term which I used.

528. Then you speak of what you consider to be necessaries of life?—When I spoke of necessaries of life, perhaps I ought to have added such articles as fish and milk, that require early consumption.

529. Then I understand that you do not confine yourself to the legal definition of the term?—No.

530. But to the definition of articles which you think ought to be sold on Sunday?—I would add to what I stated with respect to the necessaries of life such articles as fish, and others which may not be considered necessaries of life, but which are made exceptions in the Act to which I have alluded, and which can be legally sold on Sundays.

531. *Mr. John Abel Smith.*] How long ago is it since you were in the New Cut on Sunday?—I do not know that ever I was in the New Cut on Sunday.

532. Then how do you speak as to what goes

on there on the Sunday?—From information which has come to me from the police and other persons belonging to the district.

533. If you were told that the street was so crowded on the Sunday morning with people buying and selling as to render it very difficult to get through, should you doubt the accuracy of that statement?—I have already stated that I believed that the trading on the Sunday morning was chiefly confined to the necessaries of life, to which I afterwards added, and also to such articles as fish; and I believe that, in the New Cut, from the information which I have received, the Sunday trading is confined to the articles which I have mentioned.

534. Do you still retain your impression that it is a decent and orderly street on Sunday morning?—That I cannot answer; I have not been there.

535. Did not you express an opinion that there was an absence of disorder in your district, on Sunday morning?—No; I am not aware that I said that there was an absence of disorder in my district on Sunday morning.

536. It is very desirable that you should give us what is really your opinion?—I am very desirous to express what is really my opinion.

537. I do not wish to misrepresent you, but I understood you to say so?—I am not aware that I said so.

538. Then I will ask you, is there any disorder from the Sunday sales, in your district?—Not that I am aware of; I am not aware, at the present moment, of any instances where parties have been brought before me for having caused obstruction, or for disorderly conduct at the time mentioned.

539. Are you aware of the fact of the large trade which takes place on Sunday morning, in the New Cut?—I have stated before, that from the information which I have received, I believe that considerable trading with respect to what I call the necessaries of life, and other articles which I afterwards added, is carried on in the New Cut, on Sunday morning.

540. Have you ever been in the public-houses in the New Cut on the Sunday morning?—No; it is not my duty to go there.

541. Have you any personal knowledge of what goes on as regards drinking on Sunday, in the New Cut?—No.

542. You draw your conclusions simply from the fact, that there are not cases of violence or drunkenness brought up from thence before you as a magistrate?—My duties are simply judicial as a magistrate; I have nothing to do with the police.

543. I am not asking you what your duties are, I am asking what your knowledge is; have you any knowledge upon the fact, for the information of the Committee?—Knowledge of what fact?

544. The fact as to the practices that are going on in the New Cut on Sunday morning, or on Sunday evening?—Not more than what I have already stated.

545. That is from hearsay only, and from the absence of charges?—From the absence of charges and from the information which I have received.

546. You have stated a strong opinion as to the diminution of the charges of drunkenness. I believe you have in your district a very large number of persons employed in trade on the wharves of the river?—Yes.

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547. Do you know anything of the habits of those men?—I know nothing of the habits of them, except so far as they may have been brought under my observation in my judicial capacity.

548. They earn considerable daily wages, but you have no means of forming an opinion as to their providence or improvidence?—No.

549. But they form a very large class of the labouring community under your jurisdiction, do they not?—They form a very considerable class, undoubtedly. The jurisdiction of my court extends, on the river side, from Waterloo Bridge nearly to Deptford; therefore there are a great number of persons either working or living within that district who come within that jurisdiction.

550. There are a great number of persons, are there not, also, who are employed there daily, who do not live in the district?—Yes, undoubtedly; but I think I may say this, that I have not observed a greater amount of drunkenness among the classes who are employed upon works upon the river than among other classes of a similar status and in a similar position in life.

551. Do you think that that is the general opinion?—That I cannot say.

552. You have given evidence to the Committee as to the fact of there being a diminution in the amount of drunkenness within the last two or three years, which would be shortly after the passing of Sir George Grey's Act of 1864?—Within a year and a half of the passing of that Act.

553. How did that Act affect the public-houses in your district?—In what way, do you mean?

554. That Act I understand to be one which limited the closing of the public-houses at a certain hour, 1 o'clock in the morning; were they before that kept open all night or did that Act introduce a restriction as to their mode of carrying on their business?—I believe that previous to the passing of that Act the public-houses in general were not kept open all night, but that there were only a few in different districts which were kept open during the night.

555. Do not you think that a portion of the improved habits of the people to which you have alluded might be attributable to the operation of that Act?—I cannot say whether it is attributable to the operation of that Act, nor would I say that it is not attributable to it; I have stated that I have not sufficient data with regard to that Act, at least data sufficiently certain, to enable me to pronounce a definite and certain opinion upon the question.

556. Am I accurate in giving this as the general purport and meaning of your evidence; first of all that you are generally against restriction; secondly, that you think that there is a marked improvement in the habits and manners of the people; and thirdly, as a conclusion from those two, that you are adverse to increased restriction now?—With regard to the first point I do not go so far as to say that I am against all restriction, because certain restrictions are reasonable, and I think necessary; but certainly I am opposed to any further restrictions in addition to those which already exist.

557. Why are you of that opinion?—Because I do not think that they would be of any service.

558. Do you think that there is any other measure of restriction in reference to drink than the discontent of the population, such as would make evasion of the law impossible to prevent?—

That is a question which I am not prepared to answer.

559. Have you no opinion upon the subject?—I am very loth to express an opinion, unless I have good and certain grounds upon which that opinion rests; at least, what I consider to be sound grounds.

560. I should like to know the grounds upon which you do rest your opinions; can you give us any number of cases, or anything upon which you found an opinion?—It is more upon general observation than upon any particular details. It is upon a number of particulars remembered and brought together in my own mind rather than upon any definite cases.

561. Would you mind applying to my question the same principle of general observation, and telling me what your opinion would be with regard to restrictions generally?—With regard to restrictions generally, in producing what effect, may I ask?

562. What do you think has been the effect upon drinking, of restrictive laws which now exist; first of all, what is the law now with regard to the limitation of hours on Sunday?—The law is different with respect to public-houses and with respect to beer-houses, and the law is different also in different districts, in towns of large population and towns of small population.

563. We will take London, which is known to you best; what is the law in London with respect to the opening of public-houses on Sunday?

They must be closed at 12 o'clock on the Saturday night, and they must not be opened until 1 o'clock on the Sunday morning; they can open from 1 o'clock to 3, and then in the evening from 5 to 11.

564. What do you think has been the effect of that restrictive law on the sale of liquors?—Do you mean as to whether a greater quantity was sold before the law existed?

565. Not only with regard to the quantities sold, but with regard to its effect upon the population?—That is a question which I cannot answer.

566. You cannot give the Committee any information as to whether the past restrictive law has tended to limit the sale of spirituous liquors?—I have no information which I can give the Committee upon that point.

567. Have you paid any particular attention to this subject?—I cannot say that I have paid more particular attention to it than to other matters which come within my magisterial observation.

568. Have you any other facts to lay before the Committee in corroboration or in support of your opinion as to the improved habits and morals of the people of Southwark during the last two years?—I am not speaking from any particular facts which I may have collected myself; I am speaking from my own observation, and from information derived from others, and also from opinions expressed by other persons in whose judgment I place some reliance.

569. Do you think that any returns from your office would confirm that view?—I think they would.

570. Would you have any objection to let the Committee have the returns upon which you form your opinion?—The returns I think are sent from the office monthly; if there are any returns at the office they would be gladly made available to the Committee.

571. If there is an increased morality and an increase of improvement in the habits of the people, I presume it would be marked by a diminution in the charges?—I should think so.

572. What I want to know is whether the returns from your court will confirm that view?—I think they would.

573. Should you have any objection to append them to your evidence?—I must see the returns first before I can express an objection or not; the returns in my particular district may or may not bear out my evidence.

574. Would not it be an important thing that the Committee should know whether you do or do not support by your facts the opinions which you have expressed?—You must take the returns not only for the last two years but for a great number of years; at least for nine or ten years previously to that.

575. Say the last five years and the preceding five years, or the last three years and the preceding three years; have you any objection to give us such returns?—I do not speak from an examination of these returns.

576. So I collect; but I am desirous to know whether the actual cases in court will bear out the opinion which you express as to the improvement of the habits of the people?—I believe they would; if there are those returns at the court, as I said before, they would be gladly made available to the Committee, but I do not know whether there are such returns; returns are sent from the court, but whether those returns are kept I am not aware.

577. But you have always kept a record of the number of cases, and of the class of cases that come before you as a magistrate?—No.

578. I want to know whether the number of cases for the last three years are diminished as compared with the preceding three years. I will take five years or three years as you please, but I want to fix the period, and compare the two in order that I may test your opinion?—I cannot speak without returns. I am very desirous to give the Committee all the information that I can. I should be very sorry if it should be thought that I am reluctant to give the Committee any information that I can give them.

579. So I imagine, and I do not wish to imagine anything else; but it does appear to me that it is quite clear that you can confirm your evidence, by showing to the Committee that the number of cases brought before you within a certain period are less than in the preceding period?—That I might be able to do if I were to look over the returns.

580. I do not know whether there are returns, but you have got a register, have you not, of the cases which come before you?—I do not know whether such a register is kept at the court.

581. Do you mean as a magistrate sitting in Southwark, to tell me that you do not know whether there is a book which contains the number of cases which come before you?—I do not know whether there is or not. I have nothing to do with that; there are returns which are made for the police, but the magistrates have nothing whatever to do with them. I make no return myself; returns are periodically sent to the Government offices, which are signed by the magistrate to authenticate them.

582. Do you ever look at them and read them before you sign them?—I look at the number; 0.69.

I do not take the trouble to look over the whole of them; that is for the clerks to do.

583. What are those returns taken from?—Those returns would be taken, I suppose, from the charge sheets and the books kept by the clerks.

584. Do you never look at those books?—No, it is not a part of my duty.

585. Then the opinion which you have expressed with regard to the improvement is merely a personal opinion, without reference to the details which those books might furnish?—Without reference to a particular inspection or examination of the details.

586. Going back, just for a moment, to the question of restrictions, do you believe, or do you not believe, that the restrictions on the sale of drink on Sunday have been beneficial or injurious?—As I said before it is a question upon which I do not wish to give any definite opinion. I do not think that restrictions are injurious unless they be carried too far.

587. What is the limit?—That I really cannot say.

588. Why are you not now in favour of further restriction?—Because I do not believe that it would have any beneficial effect.

589. Why do you think so if you do not look at the past and compare it with the present?—I do look at the past, and I form that opinion upon a general observation made upon the past; upon observation extending not only over the time during which I have been a police magistrate, but over a great number of years.

590. I want to know your reasons for that opinion?—Opinions are frequently formed, especially upon matters of this kind, by gradual observation from facts which one has observed.

591. May I, without offence, ask you again what that conclusion so formed is, as regards the effect of restriction?—I do not think that there is anything like the beneficial effect arising from restrictions that many persons are inclined to think. I do not think that legislative enactments have so great an effect upon the morality of the people as some persons imagine.

592. But you still think that the past restrictions have been beneficial?—I should think most probably they have.

593. Then why should not further restrictions be beneficial?—That by no means follows.

594. I do not say it does, but I ask you why it is so?—That really is a question which it is very difficult to answer; there are a great number of questions which almost seem to answer themselves, and it seems to me that it is one of that class.

595. May I call to your recollection that you are invited to come here for the purpose of giving information to the Committee and counsel as to the wisdom or impropriety of passing a certain Bill; that clearly opens the door to me to ask you, as you have expressed a very strong opinion against further restriction, and as you admit that past restrictions have been beneficial, what you think is the limit of that restriction, and what would be the effect of further restrictions?—That really is a question which I cannot answer.

596. Mr. Baines.] Were you preceded in the office of police magistrate at Southwark by Mr. A'Becket?—I was.

597. Would you have respect for the opinion of Mr. A'Becket, from his experience and his knowledge acquired in the same way as your own in

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in that district?—I had not the pleasure of knowing Mr. A'Becket, and Mr. A'Becket was only, I think, two or three years a magistrate before he died.

598. Are you aware that he expressed a strong opinion of the effect which had been produced by the passing of Mr. Wilson Patten's Act in 1854?—No.

599. I will read you a passage from a letter which Mr. A'Becket addressed to the "Times" newspaper, dated the 8th of January 1855, from the Police Court: he says, "previous to the Bill coming into operation, the business of this court was not only considerably greater on Monday than on any other day in the week, but it consisted chiefly of cases of drunkenness, and of assaults more or less violent that had been committed under its influence. From the day when the Act came into operation, I have kept an account of the number of charges of Sunday drunkenness which have been brought before me on every Monday on which I have sat here, and I furnish you with the result;" then he gives the results of each day, and the summary is this: that there were 37 cases of drunkenness in 19 days, a fraction less than two on an average for each Sunday; would you attach weight to the opinion of Mr. A'Becket as showing that there had been an immense reduction in the amount of Sunday drinking, and therefore disorderliness in consequence of the passing of that Act?—I should attach weight to the opinion, so far as it is founded upon his own observation, and especially as he, at the time, had his attention directed particularly to the question.

600. Then that obviously is the result of most careful observation and recorded experience from week to week?—You will see it is only for a short period; it is 19 Mondays, which is a short period compared with 11 years.

601. Are you aware that the public-houses were by law permitted to be open the whole 24 hours on Sunday, from 1831 to 1839, that is to say, from 4 o'clock on Sunday morning to 4 o'clock on Monday morning?—No, I did not know that that was so.

602. Are you aware that, from the year 1839 to the year 1854, which brings it down to the date of Mr. A'Becket's experience, the number of hours which public-houses were open on Sunday was 15 hours out of the 24?—Yes.

603. You are probably aware that since, I do not say Mr. Wilson Patten's Act, because that was repealed in a year, but since 1855, the number of hours during which public-houses have been open have been eight on the Sunday, that is one-third of the length of time that they might by law be open in the year 1831. Those being the facts, I wish to ask you whether that improvement in the morals of the people, especially with reference to drunkenness which you have observed, would be likely to be caused by that restriction in the number of hours that public-houses were open?—I think that may be the case; I would not undertake to say that it was.

604. You have said that the general improvement in the morality and the education of the people, you think, has tended to the diminution of Sunday drunkenness?—Are you aware that every lodging-house in the Mint, which is, I believe, close to your office and in Kent-street, is visited by the Christian Instruction Society of Surrey Chapel every Sunday evening?—No.

605. Are you aware that that Society has

opened a reading-room for the public in the Mint?—No.

606. Are you aware that the Mint was formerly a district in which there was the greatest amount of violence and disorder generally?—Yes; it is a historical place for it.

607. It was there that the garotting commenced, was it not?—Yes.

608. Now, I am sure you will be happy to tell us that it is no longer celebrated in that infamous way?—I cannot say much in favour of the Mint or Kent-street, which you have mentioned. There are more thieves brought before me from the Mint and from Kent-street, than from almost the whole of the rest of the district.

609. And that, I believe, has been the immemorial state of the case; but, on the whole, are you unable to report a better state of things?—No, I do not say that the Mint is as bad as it used to be; but it is bad enough; and Kent-street also. They are the home of thieves in the Borough at the present day.

610. Mr. F. Stanley.] At the present time a landlord can refuse, can he not, to serve a man with drink in a public-house if he thinks that he has had enough?—Yes.

611. And do not cases come before you which prove that that does occur?—Yes, sometimes.

612. So that, to a certain extent, a landlord exercises control in his house?—Yes.

613. And is assisted by the law in so doing?—Undoubtedly.

614. And for the most part, as far as it has come under your observation, speaking as a matter of opinion, it is the landlord's wish to keep his house in good order?—Yes, certainly.

615. It has been stated that one effect of the proposed Bill might be to encourage the consumption of drink off the premises; that a number of persons could club together for the purpose of buying drink at a public-house, out of the hours prescribed in the Bill, and taking it away for consumption elsewhere; do you think as a matter of opinion that that is likely to occur?—I think it is not unlikely, but at the same time it must be taken into consideration that they would have a difficulty in finding any decent place where they could go and sit down comfortably and partake of what they had procured.

616. Do you imagine that they would always be particular as to the place that they would select?—Their rooms are small and dirty, and the rooms themselves would not afford them any attraction.

617. But you admit that in the drinking off the premises there would not be the same control that there is at the present time in a public-house?—Of course not.

618. Do you think that that would be a state of things which would be desirable?—If the effect of it was to increase the drinking in private houses, undoubtedly that would not be an effect to be desired.

619. With reference to the opinion which you expressed, that drunkenness had diminished within the last two years, that was shortly after the passing of Sir George Grey's Act, and do you think that you can reasonably connect the two facts?—I can only state what is the result of my own observation with respect to that particular question, extending over a period of about two-and-a-half years, and during that two-and-a-half years my impression has been very strong that the amount of drunkenness has very much diminished. Whether it is connected with Sir George Grey's Act

Act or not I cannot undertake to say. I think it not unlikely that that may be one of the causes which have produced that effect; but if you ask me whether I think it is the sole cause, I should say no.

620. You would rather be disposed to attribute the improvement to the general improvement of morality?—I should attribute it to that and to education; and there are other little causes of which we have perhaps but little notion, but which would be taken into consideration if they were known in producing those effects.

621. Mr. Locke.] Who is your colleague?—Mr. Partridge.

622. You have been asked questions with respect to Sunday trading in the New Cut, and you say that that trading is carried on for the purpose of supplying necessities?—Yes.

EDMUND HUMPHRY WOOLRYCH, Esq., called in; and Examined.

628. *Chairman.*] You are Magistrate of the Lambeth Police Court, are you not?—I am.

629. How many years have you been a police magistrate?—Seven years.

630. Are you aware of the subject of inquiry before this Committee?—I am.

631. Have you read the Bill?—Yes, I have.

632. You are aware that its principal object is to further limit the hours during which public-houses may be open on Sunday; limiting those hours, in fact, to between one and half-past two, and between eight and ten on Sunday?—Yes.

633. What is your experience of the growth or diminution of offences connected with drunkenness, especially on Sundays?—I think that they have in a certain degree diminished for several years past.

634. Do you think that they are in course of progressive diminution?—I think so, in a slight ratio.

635. Do you find particularly, that the number of cases of that kind which come before you on Mondays have decreased?—There has been some diminution latterly, speaking now of Lambeth. I was for three years at the Thames Police Court, and I was afterwards at the Southwark Police Court for two years and a half. I cannot say what the facts may be at the other two courts, but in Lambeth there has been some sensible diminution.

636. Has there also been a diminution in the number of cases on the other days of the week?—There has been some little decrease; there is a great fluctuation from time to time, but still I think there has been a general diminution.

637. Do you think that there has been a diminution of the like cases since the passing of Sir George Grey's Act?—Yes; I think that that Act has had some effect.

638. You think that the shutting of public-houses at one in the morning has kept out a class who are more likely to create disorder?—I think it has placed them under a certain restraint, and has in some degree diminished the number of charges of, and connected with, drunkenness.

639. Do you think that the hours during which liquors may be sold could be restricted, in part or in whole, as proposed by this Bill, with beneficial effect as regards the diminution of drunkenness?—I think that if the hours were restricted in the manner proposed, it possibly

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623. Are there any cases brought before you of public-houses being open on the Sunday during prohibited hours?—Sometimes.

624. But I mean more especially in that part of the town?—I have not observed that they are more in that part of the town than in any other.

625. Then, in point of fact, with regard to the Sunday trading question, that has nothing whatever to do with the public-houses?—I think not.

626. And probably you would say that it is not exactly relevant to the inquiry with respect to this Bill to mix up the two questions together, namely, the sale of meat and vegetables, and so forth, on the Sunday, and the public-house question?—I do not think that they are at all connected.

627. Have you looked at this Bill?—No; I have not had a copy of it.

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might diminish the number of cases of drunkenness; but at the same time I think there might be compensating evils which would make the adoption of those restrictions undesirable.

640. What sort of evils do you think might flow from increased restriction?—In the first place, I think that it would be placing an undue restraint upon a particular branch of trade in which there is a large capital invested. Secondly, I think it would be subjecting a very large class of the Queen's subjects to great inconvenience in obtaining meals, and in obtaining refreshment. Thirdly, I think it might have the effect of considerably increasing the consumption of drink out of doors, and possibly lead to evasions of the law, which might be attended with mischief.

641. Are you generally conversant with the habits of the kind of people who live in your district?—I see them in the last resort.

642. But do you think that your general acquaintance with them enables you to express an opinion upon their habits, and upon how those habits might be affected?—Yes, to a certain extent; probably as much as most persons not immediately of their own class.

643. Which class should you say would be most inconvenienced by closing the public-houses all day, excepting the 3½ hours named in the Bill?—I think a large class of workmen, and possibly small tradesmen, journeymen, and also a number of persons not being in any mechanical trade, a smaller class of clerks and persons having no regular home, or possibly nothing further than the accommodation of a bedroom, and perhaps some others might be suggested.

644. The hours would be restricted during which they could possibly take their meals, accompanied with drink?—The hours would be entirely prohibited, if the Bill is granted in its full extent, during which they can consume anything on the premises, and they would be considerably diminished during which they could obtain anything out of the house. In the Bill I observe a reservation of the right of taking a meal at certain times, and drinking liquor served with it during that meal. There is that saving, but I think it might be very difficult in practice to work it, and to know what was taking a meal under those circumstances, and what was a supplying of liquor during the meal.

645. You think there might always be a legal

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question as to whether a man had eaten enough to constitute a meal?—That might be one question which might arise, and it might be excessively difficult to determine what was a meal.

646. Do you think that the lower middle classes, for instance the tradesmen of the district, would feel inconvenienced in not being able to procure their liquor except at certain hours of the day?—I think they would be subject to inconvenience in a certain degree.

647. You spoke also, did you not, of evils in the way of evasion of the law which might arise?—I heard the question put by an honourable Member to one of my colleagues just now as to the possibility of people confederating together with a view of supplying themselves.

648. Do you think that the evils in the way of evasion of the law and illicit sale would be likely to occur?—Yes; there would be an attempt, at any rate, and possibly for a time with success.

649. Do you think that private drinking would be likely to follow?—I think there would be some increase of it, seeing that drinking in public-houses would be restricted.

650. Is it your opinion, as was asked by an honourable Member just now of your colleague, that more disorder would be likely to occur from drinking in private houses than now takes place under the eye of the landlord?—I think cases of disorder would arise, as they now arise, from private drinking; there is a great deal of private drinking carried on now, and a number of cases which come before me as a magistrate are, in consequence of drunkenness which has taken place in private dwelling-houses, and I think that those cases would probably increase.

651. Is it your opinion that we could hope to produce a diminution of drunkenness altogether, and of the evils arising out of it, to an extent commensurate with any of the inconveniences which you have referred to?—I think not.

652. Do you think that there would be a practical difficulty in carrying out a law of greater stringency owing to the unpopularity of it?—That depends upon the degree of vigour which might be exercised; it might be carried out, but it is quite certain that it would be opposed.

653. Of course I assume that the Government has power to enforce any law that Parliament enacts, but do you think that practically it would be impossible, on account of the unpopularity which it would cause?—I think it would be extremely unpopular; it might be followed by agitation, and eventually by modification, like other measures.

654. Mr. Bright.] Would you confine that observation to your own district of London or to London generally, or would you extend it to the country, or have you any means of knowing as to any other part of the country than that in which you perform your own duties as magistrate?—Latterly I have had no opportunity of judging as to the country, but I was 10 years in practice as a barrister in Staffordshire.

655. But with regard to the probability of agitation, and so forth, do you wish to confine that observation to London, or would you extend it to the country?—I was applying myself directly to my own district, namely, the metropolitan district.

656. And with regard to the infraction of the law, I presume if all the laws were strictly obeyed your office would not be required?—

Yes, it would for taking declarations, oaths, affidavits, and a variety of other purposes.

657. But in the punishment of offences you would not be required if all laws were strictly obeyed?—If no offences were committed the people would not require to be punished.

658. Then if this law were in some cases to be infringed or violated, it would be very much in the same condition as other laws that are passed by Parliament?—Yes, with this difference namely, that oppressive laws frequently are laxly administered.

659. Mr. Roebuck.] I presume that you believe that restriction has hitherto been beneficial in keeping down drunkenness?—Yes, I do believe so.

660. And that the law as it now stands is a beneficial law?—I think *per se*, it is to a certain extent beneficial with reference to its immediate and direct object.

661. From your experience as a magistrate do you believe that that law could be beneficially improved by increasing the restrictions?—That is a question of degree. It would be exceedingly difficult to justify an opinion pledging oneself to a particular number of hours; I think that a decrease in the number of hours during which parties could obtain liquor would possibly tend to preserve sobriety to a certain extent, but I have said, on the other hand, that the question is whether there might not be inconveniences which would preponderate.

662. You put it thus, that there would be a certain degree of benefit resulting from a change in the law by an increase of restriction, but that that would be balanced—I do not say over-balanced, but balanced—to a certain extent by the mischiefs resulting from the very restriction?—Yes.

663. The evil that exists at present is confined, is it not, to a few persons; that is to say, a small proportion of the whole population get drunk?—It is so, I believe.

664. But the mischiefs that you speak of, resulting from further restriction, would extend to a very large number of the population?—They would extend to other sections of the community.

665. For example, we will take the working-class; generally speaking, I fear that their houses are not such, at least in a very large number of cases, that they would willingly be confined to them rather than be allowed to go to a public-house to obtain their drink?—I think that their houses are of such a nature that they would be unwilling to be confined to them.

666. The proposed Bill would do this: it would say to a working man, who had not that comfortable house in which he would like to drink his liquor, that he should not be able to drink anything like liquor on Sunday, except during three hours, in that better room which a public-house would afford?—It would say to him that he should not drink his liquor, except during three hours, in a better room than in his own habitation; in fact, it says to him that he shall not drink it at all in a better room; that he is not to be able to drink it in a public-house in London the whole of Sunday unless he gets a meal; and in the country not at all. It also says further, that he shall not take liquor out of the public-house except during three hours.

667. Turning your attention to those three hours during which he is to be allowed to get drink

drink out of the public-house, do you think it likely that this might arise, that two or three people might combine together and buy a large quantity of drink and take it out of the public-house and drink it in some room or other which was open to them, and thereby contribute to an increase of drunkenness?—I have no doubt that that might be done; it probably would be done, and would be followed by drunkenness in many instances.

668. Confining yourself to your own district, have you any idea of the relative proportion that the workmen whom you mentioned, small traders and small clerks, bear to the whole population?—No; I cannot tell that exactly.

669. I presume that they form a very large proportion?—Very large, no doubt.

670. And therefore, what affects them, though the evil itself may be small, yet affecting a great number of persons, in the aggregate becomes a large evil?—Yes.

671. And, therefore, the mischief that would result from this Bill is a large mischief, and the benefit a small one?—I think that a great deal of public inconvenience would be incurred to bring about a limited degree of good.

672. Mr. *Horsfall*.] You stated, did you not, that drunkenness had considerably diminished latterly?—Yes, it has diminished.

673. And on Sunday has there been a diminution?—There has been a diminution also on Sunday; but I was going to say that the cases that come before the magistrates on Monday morning are not all attributable to the Sunday; some of them are due to the Saturday night.

674. Have you any returns that will show the Committee the extent of the diminution in the number of cases of drunkenness?—I have none, nor do I think that any could be prepared in my district; I know the number of summonses which are issued in my district of Lambeth for illegal Sunday trading in liquor, but I cannot say more.

675. You stated, did you not, that in your opinion a further limitation of the hours might possibly further diminish the drunkenness?—I think it would; it might certainly do so.

676. And that you would consider a very great advantage?—I should consider that in itself an advantage. I say that upon the whole I think there would be a diminution. Even allowing that there might be private drinking, drinking by associated bodies, and so on, on the whole I think that probably there would be a diminution.

677. And there would be other advantages, would there not, such as these: for instance, a number of persons who are employed in public-houses would have a further rest on Sunday if the number of hours of their attendance were diminished?—Yes, they would be released from working at that time.

678. You stated that a Bill containing those further restrictions would probably be opposed; by whom do you imagine that it would be opposed?—I think by what has been described as the lower middle classes, and the working classes generally.

679. There are certain portions of this Bill which apply only to the country, are there not?—That is so.

680. Your experience having been exclusively in London, I presume you would not offer an opinion as to the working of this Bill in the

country?—I had considerable business at the Staffordshire sessions; that is a county in which there are several industries, and I saw a great part of the criminal population there; and I did not see a very great difference between the two classes in that respect. The parties given to drunkenness and outrage are much the same in the county of Middlesex as in the county of Stafford.

681. What position did you hold in Staffordshire?—I was a barrister, having a considerable practice at the Staffordshire sessions and assizes.

682. But that would not give you an opportunity, would it, of judging as regards drunkenness?—I had a great number of cases of outrage arising out of drunkenness; I could observe the periods when money was rife among a certain class of men, and when drunkenness was the consequence, and when various outrages were committed as a consequence of that; of course not to the same extent that I have now; I was not in an official position then.

683. Colonel *Fane*.] I think I understood you to say, that if liquor is allowed to be sold on Sunday at all, you are of opinion that to a certain extent the supervision of the landlord is desirable, as the law makes him more or less responsible and amenable to other people?—I should under any circumstances bind over the landlord to keep order in his house; in fact, the landlord of a public-house is so now, but not the landlord of a beer-house to the same extent.

684. So that, on the whole, you would think it more desirable that, if a man is to be allowed to drink on Sunday, he should do it in a public-house, in preference to taking liquor out of the house in a large quantity, and drinking it in his own private house?—One would like that that particular supervision, such as it is, should exist.

685. Mr. *John Abel Smith*.] I think I understood you to say, in answer to the honourable Member for Sheffield, that there are a large proportion of the persons who inhabit your district who are connected with what might be called the working classes?—There are a good many, not so many as there were in Southwark or in the Thames district, where I was before.

686. And with their families they make up a large proportion of the whole of the population?—Yes, they do.

687. Therefore, anything that affects their comfort or well-being would affect a majority of the population?—Yes.

688. Do you doubt that a large number of those persons every Sunday consume a portion of their weekly wages in drink?—They do no doubt consume some portion of it on the Sunday.

689. So far as they do so, they interfere, do they not, with the comfort of their families; and, therefore, with the comfort of a large majority of the population?—Not if they take drink in moderation.

690. Do they not sit and drink in public-houses?—Some of them do; but in my district it is not so to any appreciable extent.

691. Where does your district begin?—It runs from a point a little above Vauxhall Bridge down the river as far as to Waterloo Bridge, then along the Waterloo, London, and New and Old Kent-roads, as far as Hatcham, round Peck-

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ham, Camberwell and Brixton, and back again to the river Thames.

692. Is the New Cut in your district?—No; that is in the Southwark district.

693. What is the population in the area of your district?—I cannot tell that exactly; but it is a very large population.

694. You think that drunkenness has diminished during the last few years?—There has been a diminution.

695. Can you fix any period for that diminution?—No, I cannot; I have only been a little more than a year in Lambeth. I say that latterly, during the last three or four months, I have seen that drunkenness has decreased.

696. Did you hear the evidence given by Mr. Burcham?—The latter portion of it.

697. He expressed a very strong opinion that there has been a great improvement in the morals and habits of the people within the last two and a half or three years; do you confirm that?—I think that there has been some improvement; I should hesitate to say a great improvement.

698. Has there been a marked improvement?—There has been a perceptible improvement.

699. To what do you attribute that improvement?—Partly possibly to the effect of the restrictive laws which have been in force; but more to the progress of general intelligence, education, and well-being. There has been a general progress, subject to fluctuation.

700. You do not think that any considerable amount of the wages earned in your district are spent on Saturday night and Sunday in intoxicating liquors?—I should think not a considerable portion; possibly a considerable portion of the wages of individuals might be so consumed, but, taking the whole population, I should say that it was not a very considerable portion.

701. Have you any means of forming a judgment as to the feeling of the working classes in your district with regard to the laws restrictive of drink?—Incidentally I may have observed some feeling of opposition, but I should not profess to express their opinions with any confidence.

702. You do not think it would be a true picture of the bettermost working men of your district to state that they were in favour of further restriction?—Taking the whole class, I should think not.

703. Do you think that any large number of them are in favour of it?—I think there are some of them who are in favour of it.

704. Do you think that, up to the point to which legislation has now gone, restriction has been attended with benefit?—Yes, it has been attended with benefit with a view to this particular object,—the diminution of excessive drinking.

705. But you do not approve of its going further?—I think not, on the whole.

706. Do you not think that extending it would diminish drinking?—It might to a certain extent diminish excessive drinking, but I think it would be an interference with the rights of individuals, and would be attended by compensating mischief in other respects, so as to render it undesirable.

707. Do you think that there is any other limit to the principle of the restrictions which you admit, as I understand you, to be in their nature beneficial to a certain extent, and in one particular direction, than the limit of the inconvenience

produced being too great to be borne?—I think there are other questions that enter into a consideration of the question which you have put to me; I think that the question of intolerable inconvenience is a very material one, but I also think that people would look upon it, to use the jargon of the day, as class legislation.

708. If the majority of working men were in favour of restriction, that would alter your view as to its advisability, would it not?—Before I could pledge myself to that opinion, I should examine the other sections of the population, to see to what extent they represent the general view.

709. Do you know anything extensively of the habits of country towns and other places besides London?—To a certain extent I do.

710. Do you know how far in other places the habit of holiday making on Sunday is carried on, as compared with London?—It exists and increases now, but not to the same extent as in London.

711. What places do you allude to?—I know Stafford, Bishop Stortford, Hereford, Gloucester, Worcester, Shrewsbury, in fact, a great number of country towns.

712. Do you think that the habit of Sunday holiday making is increasing in those towns?—I do.

713. Do you know at all the habits of those towns as to public-houses, are they largely frequented on Sundays?—I think they are; but from what I have seen, I think they adhere to the law more closely than is done in London upon the whole, that is to say, with regard to not opening during the prohibited hours.

714. Do I rightly collect your opinion generally to be this, that although you approve of class legislation as to restriction, and although you think that further restriction would tend to limit and restrain drunkenness, and although you think that the consumption of the wages of the working classes is carried on largely in the purchase of drink on Sunday, you still are against any further restriction?—Although I hold opinions substantially in accordance with those which you have just now put (perhaps not identically the same—I should express them with some qualification), nevertheless, holding those opinions, I still think that it is undesirable that further restriction should be imposed.

715. *Mr. Baines.*] Were you a police magistrate at the same time as Mr. A'Beckett?—I was not.

716. I think you were in the room, and heard the opinion which I read from a letter from Mr. A'Beckett to the "Times," in the course of the examination of Mr. Burcham?—Yes, I heard it; he had observed during a short period, and made a return.

717. He had observed during 37 Mondays that the number of cases of drunkenness brought up upon Monday morning, which had taken place on the Sunday, diminished to two. May I ask whether you have any opinion or any knowledge as to the number of cases that used before that to occur in that same office of Southwark?—I cannot say that I have.

718. If you saw it stated in a London paper of that date that the number taken into custody on Sunday amounted before that time to between 30 and 40 persons on Monday morning who had been taken up on Sunday, would you think it at all probable that there had been such a number before

before the year 1864, when Mr. Wilson Patten's Act was passed?—It is possible; but I should be slightly surprised at the number.

719. If the number was reduced to an average in 37 weeks of less than two, is not that an improvement of public morals upon a very broad scale?—Yes, no doubt of it.

720. You would therefore attach weight to the fact, and weight to the authority of the man who gave that fact?—I should look at the authority of the man, and being satisfied with that, I should attach weight to the fact.

721. May I ask how long you have been in Lambeth?—Only a little more than a year.

722. So that you were not aware that open-air meetings were held on the subject of temperance, and especially of Sunday closing in Kennington-park in the years 1863, 1864, and 1865?—No, I was not.

723. Mr. *Bright*.] The honourable Member for Sheffield asked you about the hardships by closing the public-houses for a longer time on Sunday, in preventing working men from going from their uncomfortable homes to comfortable, and, I presume, well lighted and well warmed rooms, where they could take their liquor; you appear to think that a hardship?—I think in many cases where a man wanted legitimately to consume his drink in a comfortable room, and leave a very uncomfortable one, it would be a benefit to him to have that opportunity.

724. I presume, looking at the general comfort of everybody, you would see with satisfaction that his wife and family went with him?—A discreet wife and well conducted children might occasionally accompany him with advantage; and she does so very frequently.

725. Do you think it a fair argument against restriction that those houses should offer special inducements or temptations for men to leave their own homes and their families during Sunday?—No, I do not think it would be a fair argument that they should offer special inducements and meretricious attractions to take a man from a comfortable home.

726. The object of going to those houses must be for the liquor that they sell; is not that so?—I do not think wholly so; sometimes people eat and drink there, and I think that they seek a sort of society; it is the poor man's club occasionally.

727. In the opinions which you have expressed with regard to the population of your district, you would give them, I presume, with great hesitation, seeing that you have been amongst that population so short a time?—Yes; and I expressed myself with some qualification.

728. And perhaps as in the course of your professional duties you come most in contact with the worst specimens, that would also cast a little shadow of doubt upon your opinions with regard to the population in general; for but a very small minority must come before you?—I can hardly say that. In the dock, as criminals, there come before me a large and a varying class of persons; but there are a great number of others who come before me as prosecutors and witnesses, and for a variety of other purposes, which might enable me to speak about their opinions.

729. If it were possible, either by restrictive laws, against which much may be said, or by any other process, to wean the people from the con-

sumption of those intoxicating drinks, would not that wonderfully diminish the labours of your office; I mean in the punishment of crime. Do not you believe it to be the unanimous opinion of all the magistrates of London that a very large proportion, probably the majority, of cases that come before them of violence, and poverty, and all that makes the heart sick, arise from drunkenness, or are connected with drink?—I believe, and I agree with the opinion, that a large proportion is attributable to drink.

730. Having admitted that, as far as it has gone, the result has been good, would you therefore say that Parliament should try no further experiment whatever, in the hope of relieving a certain unfortunate class of persons from temptation which they appear scarcely able to resist; but that having arrived at this point, you would not go a bit further?—I am hardly prepared to say that; but I think it is difficult to see in what way they could beneficially and advantageously move, and where they are to stop, and with what class they are to stop.

731. Was your opinion ever asked before a Committee before, or did you ever give it before any of the existing restrictions were adopted?—Never.

732. And therefore finding yourself at a certain point you are not disposed to go back and you are not disposed to go forward; you think you are at exactly the right point?—I merely say that I find no sufficient inducement to move. The preamble of this Bill says that the restrictions imposed by a certain Act have been found to work beneficially, and that is an Act repealing a previous Act, and that Act increases the number of hours instead of diminishing them; it is a relaxation instead of a restriction.

733. In the years 1854 and 1855, at the time of the passing of those Acts, did you express any opinion upon the legislation of that period?—No, I held a different appointment at that time.

734. Your attention was not called to that subject?—No.

735. Do you find that the law is more broken at present by beer-house keepers than by licensed victuallers?—I do very much.

736. Are they more numerous in your district than public-house keepers?—I think that they are more numerous.

737. Would you recommend their being put under the same restrictions as to licensing?—Yes, I would have them put under the same restrictions as to licensing.

738. Do you consider that the laws as they at present exist intending to restrict both licensed victuallers and beer-house keepers, and intending to promote good order and sobriety, are sufficiently rigidly enforced?—Yes, upon the whole, I think that they are rigidly enforced.

739. With equal fairness upon licensed victuallers and upon beer-shop keepers, do you think?—I think so; I have had no reason to doubt it from my experience.

740. Mr. *Locke*.] You say that you have looked at this Bill; have you carefully examined the first clause in it?—I have read the first clause with some attention.

741. What, in your opinion, would be the effect of that first clause in the country, as, for instance, as a traveller is concerned, what would happen to him; could he under that first clause obtain any refreshment whatever during the whole of the day?

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day?—A traveller is excepted; he could, I take it.

742. Do you think he is excepted as far as the country is concerned if you look at the proviso?—It would be left, as it was under the former law; the restrictions are introduced with the limitation expressed.

743. The words, as regards the country, are, "As respects the sale of the liquors aforesaid when sold for consumption on the premises to the whole of the said day, and subject to the following proviso." That would be the enactment. Then the following proviso makes an exception with respect to the metropolis, and only as to the metropolis?—Yes; but that is only a special proviso introducing a new feature, namely, a man taking a meal. The existing general law, I think, introduces an exception in favour of a traveller elsewhere.

744. You see that this clause says, that in the country, "As respects the sale of the liquors aforesaid when sold for consumption on the premises," it shall not be so sold during "the whole of the said day, and subject to the following proviso." Then you have the following proviso not merely mentioning the lodger, but it says, excepting "a person lodging in his house, or to travellers;" therefore the word "travellers" being mentioned, do not you think it would raise a question as to whether or not travellers were precluded from having those privileges in the country?—I think not. According to the existing law, which in this respect would not be touched by this Act, it precludes the keepers of public-houses from selling provisions or drink at certain hours on the Sunday, except to travellers. There is in this Act an exception in favour of travellers. This Act introduces general restrictions, but it introduces a special proviso applicable not to the rural districts, but to the metropolis alone. It contains a new feature, namely, a man taking a meal, and being supplied with drink during the meal. A *bonâ fide* traveller stands upon his former footing.

745. A *bonâ fide* traveller is mentioned with regard to the metropolis, and left out with regard to country?—The *bonâ fide* traveller is repeated here, but his *status* is not altered. As to the country, he claims exemption under other Acts.

746. Would not that raise a question?—Yes, I have no doubt it would raise a question, but I apprehend that it might be got over.

747. It might, or it might not; that depends, does it not, upon the court to which you go?—In some measure; but this Act does not incorporate penalties.

748. With regard to Mr. Wilson Patten's Act in 1854, it has been suggested that it was repealed the following year in a ludicrously precipitate manner; and the honourable Member for Leeds has alluded to Mr. A'Beckett, for whom we have very great respect. In Mr. A'Beckett's evidence, which was given before the Committee in 1855, he was asked at Question 1304, "Do you think the Act generally has worked well, and has tended to decrease drunkenness; and do you think that it acts for the convenience or otherwise of the public?" he replied, "I think it has, for the present, diminished drunkenness; but I do not think it acts for the convenience of the public." What is your opinion with respect to this Bill. Do you think it would act for the convenience of the public?—I do not.

749. Then you agree with Mr. A'Beckett?—Yes; in that part of his opinion and also in the opinion that it has diminished drunkenness.

750. Another question that was asked, is, "You say you think this Act operates inconveniently to the public; does it do so to the working classes in particular;" and his answer was: "I do not think it does to the working classes in particular; I have heard a great many of the middle classes complain a good deal of it." Is it your opinion that this Bill if it were passed would work in a very inconvenient manner for the middle classes, leaving out the lowest?—Yes, I do.

751. With regard to those particular hours during which beer, spirits, and so forth, could be obtained to be drunk off the premises, do you think that the hours which are allowed here, namely, 3½ hours during the day would be sufficient for those classes of persons?—I do not think they would.

752. If they wanted to have beer with their meals they might not wish to have that meal between one and half-past two?—There would be a long period during which they could not have it.

753. Then again from half-past two down to eight o'clock, a great many meals are eaten between those hours, are they not, by different people of the middle classes, the working classes, and all sorts of classes?—There are some, no doubt.

754. Beer does not improve from keeping in the air when it is drawn out of the cask, does it; it ought to be drunk fresh if anybody intends to enjoy it?—I should think so.

755. Would they be able to enjoy their beer and to have it fresh during their meals in their own houses if this Bill were passed?—I suppose it would be rather vapid.

756. You have travelled of course like all of us?—Yes.

757. I believe in every other country in Europe public-houses are very open indeed?—Yes, I think they are.

758. They do not shut them at all on Sunday, do they?—I will not go so far as to say that. I think there are some places in which they are closed.

759. Take France for example; are the people more drunken there than they are here?—Less so.

760. Are the people more drunken in Germany than they are here?—They are not so sober as the French. I speak from general observation.

761. What is your general observation; in those places, are the people addicted to drink or not?—I think the Germans are soberer than the English, and the French are soberer than the Germans.

762. Do you think that those restrictions suggested by the Bill would prevent drunkenness?—They would diminish it, but not totally prevent it.

763. Supposing a man did not drink in a public-house, and was fond of drink, do not you think that he would get it somewhere else?—They would not diminish it in a case of that particular nature, but upon the whole I think they would.

764. To what extent?—I cannot determine that.

765. Do you think that if we were to go a step

step further, and adopted the Maine Liquor Law, that would diminish it still further?—I have not considered that.

766. Do you think this, that supposing persons were not able to get their drink at a public-house they would not find some other place to get it?—I think they would get drink somehow, but not to the same extent that they can now get it.

767. You have been asked about a man going by himself to a public-house, and leaving his wife and children; have you any experience of the dwellings of the working classes in London?—Not much.

768. Have you seen any of them?—I have seen them occasionally, and I have had their lodging-houses described to me frequently.

769. They are not altogether convenient, are they?—Certainly not.

770. There are some places in the suburbs, public-houses, and so forth, where persons can go with their wives and families and have refreshments, are there not?—Yes.

771. Do you think that, with respect to those persons, this Bill would be inconvenient, locking them out all those hours?—Yes, I do.

772. Therefore, setting aside the case which is generally the one only looked at by persons, that is to say, men standing up at the bar of a public-house and getting drunk, are there not a great many other persons, a respectable class of people, who go into a public-house with a different object and different views, namely, not merely to drink, but likewise to eat?—Yes.

773. And a man might go in just for the sake, if he was thirsty, of taking a pint of beer, without any view to getting drunk?—Yes.

774. Or a glass of wine, or anything else?—Yes.

775. With regard to that sober class of persons who do not take anything to excess, would not they be greatly inconvenienced if such a Bill as this were to pass?—I think so.

776. Is it your opinion then that, for the sake of preventing excess on the part of a comparatively small number of persons, a vast number of the public would be inconvenienced by this Bill?—I think that to produce a partial good considerable inconvenience would be produced.

777. Do you think it would be submitted to quietly; I do not mean by drunken people, but by the bulk of the people who do derive very great convenience from being able to supply themselves with liquids from public-houses on the Sunday?—I think it would call forth a great deal of discontent and eventually opposition.

778. Have you had any cases before you as to persons coming back by excursion trains on Sunday night to the railway stations?—Yes, I have had that under my observation with different views.

779. At the present time a public-house shuts up at 11, the new proposition is that it shall close at 10; do you see that there would be any inconvenience in that?—Yes, I do.

780. At what time do those excursion trains usually return?—Many of them after that, and a good many of them between 10 and 11, I should think.

781. Therefore, the people would be entirely deprived of any opportunity of getting any refreshment of that sort?—Yes.

782. Do you think that the hour of 11, as it at

present is, is much preferable to the hour of 10?—I do with that particular object. I would rather that it should stand at 11.

783. For instance, persons coming up by those trains and coming in about 10, want their supper, do they not, at home very frequently, and they must get their beer or whatever they want, and if it is draught beer it must be got at the public-house; would not the closing at 10 be inconvenient to them?—Yes.

784. Do you know what the regulation is with regard to refreshment rooms at a railway station; are they obliged to be closed at a certain hour?—There are some special provisions in favour of parties coming to stations and departing from them by railway trains, but I am inclined to think still that the prohibition on Sundays applies to them similarly to other places.

785. The refreshment room at a railway station is licensed by the magistrates for the sale of wine, beer, and spirits, in precisely the same way, is it not, as a public-house?—Yes.

786. It is a magistrate's license and not a refreshment room license?—Yes, it is not a mere excise license.

787. A refreshment room license would not entitle them to sell spirits; therefore it is absolutely necessary, is it not, that they should have a magistrate's license, a victualler's license, in point of fact, to sell spirits at a refreshment room on the station?—Yes.

788. Then if this Bill were to pass, those refreshment rooms would have to be closed at 10 o'clock?—They probably would, but the question about a traveller and a man taking a meal still turns up; I do not see what is to prevent a man requiring refreshment demanding it at two o'clock in the morning.

789. There would then be a good many decisions upon the traveller question again, if that were the case?—Yes, there would, and upon the meal consumer also.

790. The meal consumer would be a very great difficulty, would not he?—I think so; I think it would be very difficult to know.

791. Mr. Bright.] There are a good many difficulties in legal matters everywhere, are there not?—There are.

792. It is not final against a Bill, but there are difficulties connected with it, I presume?—No, it is not.

793. Mr. Locke.] Are you aware that the question as to the traveller at the present time is pretty nearly settled from the decision in the Court of Common Pleas by Chief Justice Erle?—Yes, I know the nature of that decision, and the question has been tolerably defined, no doubt.

794. The judges went on relaxing it from time to time, and they established it pretty much, did they not, that a traveller was almost anybody who chose to take a walk of a Sunday, either for business or pleasure?—Yes, I believe so.

795. It is the law now, that a man taking a walk on Sunday either for business or pleasure, is a traveller, but the decisions were entirely different in the first instance?—Yes; but I think he must go out of town still.

796. It was a long time before they arrived at that decision, was not it; a great many cases had to be argued and got rid of?—Yes.

797. There was another question, was there not, which was a very moot one, namely, upon whom the *onus probandi* lay; whether it was

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for the objector to prove that the person was not a traveller, or whether it was upon the traveller himself to prove that he was such, and at last it was decided that the *onus probandi* lay upon the man who made the objection?—Yes, it turned upon a general question of legal statement, namely, whether the proviso occurred in the same clause.

798. It was decided both ways, was it not?—Yes.

799. You can hardly imagine what the decision would be upon the meal; but you have no doubt that there would be a great deal of difficulty about that?—Yes.

800. Mr. Yorke.] Taking the point of view of the honourable Member for Birmingham, that this Bill would be in the nature of an experiment, would you consider that this would be a great step as compared with the previous Acts of restriction, or a small step?—I think a considerable one; I think it would be a very long step.

801. So that it would be an experiment upon a very grand scale, in fact?—I think that it would.

802. Would it not amount practically, in the country at any rate, not to restriction, but to prohibition of the use of public-houses on Sunday?—I think it would, except in the case of travellers.

803. It would amount practically to a prohibition of the use of a public-house to persons living in the immediate neighbourhood on Sundays?—It would amount to a prohibition to them with regard to the consumption of liquor in a public-house for the whole of Sunday, and to a very great restraint upon them in respect to obtaining liquor during the rest of the day.

804. So that, in fact, this would be an experiment out of all proportion to any that had preceded it?—It is an extensive change.

805. Does not it practically amount to an entire prohibition to persons living in the neigh-

bourhood of any use of a public-house as a place where they can sit and drink?—Yes.

806. Therefore, practically, as far as they are concerned, it is not a restriction on their use of a public-house for those purposes, but a prohibition?—It is a prohibition, except in the case of travellers; and having regard also to the fact that the proviso here applies only to the metropolis, I think a traveller is excepted under the general law; but to residents and so on it is a total prohibition.

807. Then you would regard it as a very different measure from a mere restriction?—Yes.

808. As differing in kind rather than in degree?—I should look upon it as a difference of principle.

809. Mr. John Abel Smith.] Did I understand you correctly as disapproving of a law which would prevent the working men taking their wives and children to a public-house?—I should disapprove of a law which would prohibit them from doing that. I think it would be an interference with the liberty of the subject, which I do not think desirable.

810. Are you aware that a good many public-houses now do close on Sunday?—Yes.

811. Do you know the habits of the public-houses at all with regard to the way in which they supply drink to their customers who send jugs for it when they are closed?—I have not had those examples before me. I have had examples of course of illegal trading by those houses during the time they ought to be closed, taking liquor out the public way or through an internal communication with other premises, but I have not had cases of complaint as to their legitimate business before me.

812. You do not know persons who carry on that business, and whether they have found any inconvenience from it or not?—I dare say there are some, but they have not come under my observation.

CUTHBERT EDMOND ELLISON, Esq., called in; and Examined.

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813. Chairman.] You are Magistrate of the Worship-street Police Court?—I am.

814. Will you inform the Committee what part of the metropolis that office includes?—It is in the north-east of London; the area touches the City upon the south, the Thames district upon the east; it goes up to Old Ford and Bow, which are the extreme eastern or north-eastern points; it takes in Bethnal Green, the greater part of Whitechapel, Spitalfields, and what used to be the suburban district of Hackney, Holloway, Dalston, Kingsland, up to Stamford Hill, and then down again to Finsbury-square, towards the City.

815. It includes a large population, and in many parts a very poor population, does it not?—It does; a very poor population indeed.

816. Do you know the population?—No; I should be sorry to pledge myself to any statement as to that; I should say that it is about 400,000, speaking roughly.

817. Have you before you a great number of charges in the course of the week arising out of drunkenness?—Yes, a great proportion.

818. A great proportion of the cases coming before you are connected with drunkenness?—Yes.

819. Of those cases, does a larger proportion come before you on Monday mornings than on other days in the week?—Yes; then again I must qualify that answer; a great deal depends upon the state of work, and upon the wages that are earned. If there is a great deal of work the workmen are able to make a holiday of Monday, and then it is possible that there may be a great many cases on Tuesday morning, and not so great a number on other days in the week.

820. How many years have you been a magistrate there?—Four years.

821. You can speak generally, I suppose, always allow for special circumstances, and say whether the number of cases coming to the court connected with drunkenness on Monday morning is equal to those on any two days in the week?—Not always; I should hardly put it in that way; I should say that there are more on Monday morning, sometimes considerably more, but I should not say as a general statement that they were equal to the cases on two days.

822. Are you able to say whether the number of cases arising from offences committed on Sunday are as numerous as those on other days in the week?—I should think that they are as numerous.

823. Do

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823. Do you think that they are as numerous as those on Saturday?—I should think they were, but I am not able really to give chapter and verse as regards that.

824. Are you acquainted with the general habits of the people in that part of London with which you are connected; have you made anything like a study of it?—I am acquainted, to some extent, with the habits of the classes who are in the habit of coming before me, or of attending the police court.

825. With regard to the classes who bring themselves under the notice of the police particularly, do you think that they get drunk as much on Sunday as on Saturday; do you think that their practice is to drink most on Saturday or on Sunday?—As a whole class, I should say that they did so, as much on a Sunday as on a Saturday.

826. And that in spite of the difficulty that they are not able to buy liquor except at certain hours?—Those who are inclined to get drunk take care to buy liquor during the hours that they can do so.

827. Have you reason to think that that is extensively done?—Yes.

828. Mr. *Bright.*] Do you mean that this drunkenness is not in public-houses, but in private houses, drink being fetched from the public-houses?—No; that they go to the public-houses during the time that the law allows public-houses to be open.

829. *Chairman.*] And do they take it away with them when they are obliged to leave the house?—Sometimes; I do not know much about that.

830. Do you think, then, that the closing of public-houses for a greater number of hours on Sunday would tend to diminish drunkenness?—I think it would diminish the number of cases that come before me on Monday morning to some extent, upon the assumption that there was no illicit way of drinking resorted to, or no way of evading the law, or of laying in drink on a Saturday night.

831. Of course they could always lay in drink if they had the money to buy it, but do you think that restricting the number of hours would place such difficulty in the way of getting drink that it would tend to diminish drunkenness?—Now they are able to go to a public-house, and to remain there for a sufficient time to enable them who wish to get drunk to do so, and I think that if those who were determined to get drunk found that obstacles were placed in their way, and that it was impossible for them to do so under the existing law, they would probably continue to lay in drink (at all events it is necessary to look at the possibility of that), and that they would continue to drink at home.

832. Do you think that the streets in that part of the town are quieter during the hours that the public-houses are closed than when they are open?—I have very little experience of that part of the town actually on the Sunday.

833. Do you think that the closing of public-houses for a greater number of hours would cause inconvenience to the respectable classes of the community, and not merely to those who wish to drink to excess?—Yes, I think so; I think it would cause a certain amount of inconvenience to those who do not drink to excess.

834. Do you think that the hours proposed by

this Bill, an hour and a half in the middle of the day and two hours in the evening, would not be sufficient to meet the common necessities of the inhabitants?—I think many of them would have to change their ways of life to a certain extent.

835. Mr. *John Abel Smith.*] Why should they do so?—Because I think that people are in the habit of taking their meals now at a time when it would be impossible for them to get beer if this law were carried into operation.

836. Why should not they have it in their houses?—It would be impossible; it would get flat.

837. Mr. *Bright.*] When you say that it would produce great inconvenience, do you mean to the great bulk of the people, or only certain classes who dine at fashionable hours?—The question was, as to the middle classes.

838. *Chairman.*] I alluded to classes other than those who drink to excess—to the respectable portion of the inhabitants, whether they be of the upper, middle, or lower; those who resort to public-houses for their liquor supply, say of beer; I ask whether you think that such people would be much inconvenienced by their only being allowed to obtain that supply for an hour and a half in the middle of the day, and two hours in the evening?—Yes, I think they might be.

839. Should you think that such restrictions, and inconveniences, would be less than the good that might be obtained by diminishing the drunkenness, as you say might be the case if there was much greater difficulty in procuring liquor?—I think that is a difficult question to answer except in a very general way; I think that proposed restrictions are imprudent.

840. Mr. *Bright.*] Would you say that all restrictions were so?—I would not say all restrictions, because there are some which are necessary, and which are working well.

841. *Chairman.*] Do you think that such restrictions as are proposed by this Bill would be undue on account of the inconvenience that they would cause to the bulk of the inhabitants when compared with the possible good that might come from them?—I should be inclined to say yes, but still I think, as I say, that depends upon the general question.

842. Do you think that some further restrictions, perhaps not going as far as those in the Bill, might be attended with advantage, supposing the hours during which public-houses might be open, were only six instead of eight, or five instead of eight, do you think that that might do good?—There again it is a very difficult question to answer. You have of course to consider on the one side the possible prevention of drunkenness to a greater extent than at present; and on the other side, you have to consider the certain dissatisfaction which I think would attend the passing of further restrictive measures.

843. From your knowledge of the people in your district, not to speak of other parts of London, do you think that the dissatisfaction would be very great?—I can hardly answer that question. I have no real knowledge upon which I can answer it.

844. All you can say is that you imagine that restriction would interfere greatly with the habits of the people?—Yes.

845. Mr. *John Abel Smith.*] You know of course

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course what is the present state of the law with regard to the hours?—Yes.

846. Do you carry your mind back to the Act of 1855 repealing the Act of 1854?—Yes.

847. And the subsequent Act of Sir George Grey in 1864?—Yes.

848. Have you any opinion as to the working of those two measures?—I should say that they have worked well.

849. Then as far as your judgment and experience goes, it is rather in favour of the well working of the present amount of restriction?—Yes.

850. Have you any doubt that if the poor population in Bethnal Green, Shoreditch, and Whitechapel, did not consume a portion of their weekly wages in drink, the comfort and character of the families in the district would be greatly improved?—I have no doubt whatever that it would be so.

851. Then as far as their condition went it would be a very great benefit if they were prevented from drinking?—Yes, if you could prevent their drinking,—that is precisely the question.

852. Do you doubt that the restrictions which are already imposed have diminished drunkenness?—No, I consider that they have to some extent.

853. Am I over-stating or mis-stating your opinions when I say that you consider restrictions on the sale of drink on Sunday desirable up to a point where it excites so much dissatisfaction as to be intolerable?—Yes; I think you may say that. I think that at present we have done good and that we have gone far enough, and I think that if we went further there would be dissatisfaction and it would therefore be inexpedient to go further.

854. You think that the Bill which is now before this Committee makes too large an experiment?—I should be inclined to say so.

855. Do you know at all whether there are in your district a considerable number of the better class of working men?—Yes.

856. Does your district extend down to Mile End Road?—Yes.

857. All round there there are a great number of workmen and a great number of very decent men employed in daily labour, are there not?—Yes.

858. Do you know at all what their feelings are with regard to further restriction?—No, I have no knowledge whatever as to that.

859. Should you be prepared to disbelieve the statement, that a large proportion of these men were in favour of restriction?—No; I should be quite inclined to believe that a large number would be in favour of further restriction.

860. If they were in favour of further restriction it would, with you, and with your peculiar opinions, be a strong argument in favour of trying that further restriction, would it not?—Yes; but I do not suppose that they form the majority of the working classes; I have no knowledge whatever as to that; it is quite possible, and I believe it to be the case, that a great number of the working classes are in favour of further restriction.

861. Do you at all know how the present temptations offered by a public-house personally affect those men that you are talking of, as being respectable men who are in favour of fur-

ther restriction; do you think that they adopt those views from finding the younger members of their family induced to practise intemperance by the present practice, or upon what do they go, do you think?—I have never heard that assigned as a reason, nor can I refer any feeling that there may be as to that among them to the question of Sunday trading in liquor; of course I have had cases before me in which young children have fallen into crime through taking to drinking too early; but those cases, I am happy to say, are rare.

862. Have you ever had it brought under your notice, or has it ever been done under your eye, that there has been any watching of the visits to public-houses by the population on a Sunday; I mean, to use the broadest way of expressing it, do you know at all what are the number of the visitors to public-houses on a Sunday?—No, I have no means of telling that.

863. Nor you do not know whether any large proportion go to drink or with jugs to carry their drink home?—I will not say anything as to the proportion, but a great number of people certainly carry drink home.

864. And they do it for the purpose of drinking it with their meals at home?—Yes, I presume so.

865. Why should not others do it in the same way?—All those who wish to do it do it now.

866. There would be no difficulty or hardship in others doing it if the public-houses were shut?—There would be no difficulty in their doing it if the usual time for their taking their meals came during the time that the public-houses were open.

867. Have you ever yourself visited public-houses on the Sunday night, or the Saturday night?—No, I have not.

868. Mr. *Bright*.] You speak of a considerable proportion of the working men being in favour of further restriction; has it ever occurred to you to ascertain, or have any means come before you by which you could ascertain, what would be the opinion of the women?—No, I have no means whatever of ascertaining that.

869. Mr. *John Abel Smith*.] Is there any large proportion of drunken cases brought before you of women?—Yes.

870. Unfortunately now it is almost half, is it not?—I should be inclined to say very nearly half. I should rather think that drunkenness is increasing among women.

871. Captain *Stanley*.] In the part of the town with which you are most brought in contact, you say there are a great number of the better class of working men; are you aware that the practice of the working classes of making excursions in this country on Sunday has very much increased of late years?—Yes, that is so.

872. Many trains by which those persons go return very late at night in the summer time, do they not?—Yes.

873. And many of the people returning by the train resort, not for the purpose of getting drunk, but for the purpose of *bonâ fide* refreshment, to public-houses on their return?—Undoubtedly.

874. Do not you consider that a great number of people, if restrictions were placed upon the public-houses at that time of night, would be deprived of the means of getting what is, after all, merely legitimate refreshment?—That is one of the reasons which makes me of opinion that any

any further restriction at night would be inexpedient.

875. Mr. *Locke*.] You have been asked why the working men should not carry their beer home. Does it improve by keeping when it is brought in a pot?—Certainly not.

876. It might be very convenient for a person who had his beer in a cask to keep it at home, but a person who does not buy in such large quantities would not be in precisely the same position, would he, if he had to take his beer home always?—No.

877. Looking at the hours which are mentioned in this Bill, would it not be extremely inconvenient to a great number of persons, not merely working men, if those three and a half hours were the only three and a half hours on the Sunday during which they could get those

things to take them home to their own houses?

—I think it might be so certainly.

878. Have you considered the question of excursion trains coming into town, and the hour of 10 being the hour that they would shut those public-houses, and do you think that it would be inconvenient for persons who were coming home and wanted to go to their own houses to have supper, to be prevented from getting any beer after 10 o'clock?—Yes, I believe it to be the case that many excursion trains come in after 10 o'clock during the summer.

879. Is 11 a fair hour for closing?—Yes, it is so.

880. You think it is not too late?—No.

881. Might not 12 be more convenient?—I do not wish to see it extended to 12; 11, I think, is a fair hour.

*C. E.
Ellison, Esq.*

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Wednesday, 29th April 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. John Bright.
Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Horsfall.

Mr. Locke.
Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

MAJOR JOHN JAMES GREIG, C.B., called in; and Examined.

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882. *Chairman.*] You are Chief Constable of the borough of Liverpool, are you not?—Yes.

883. How many years have you held that appointment?—Upwards of 16 years.

884. Previous to that had you been in command of the police force?—No, I was staff officer of pensioners for 10 years previously.

885. Your attention has been greatly called no doubt to the working of the present laws affecting public-houses?—Continually.

886. Are you aware of the subject proposed in this Bill?—Yes.

887. Can you tell the Committee what is your opinion as to the working of the present law as regards the closing of public-houses on Sunday; is it your opinion that the closing of public-houses for a part of the day tends to restrain drinking to excess?—No doubt.

888. Do you remember the passing of the Act called Mr. Wilson Patten's Act in August 1854?—Yes.

889. You were not called upon to give evidence before the Committee of this House in the following year, were you?—I was not.

890. But do you recollect whether the working of that Act, as long as it lasted, was beneficial?—Yes; particularly so.

891. Did it tend further to reduce the cases of drunkenness occurring in your jurisdiction?—The Act, as I understand it, reduced the drinking hours for 2½ hours; I enquired into the working of it, and I took the six months previous to the passing of that Act, and the six months afterwards; I took the time from 10 o'clock on Sunday night, and throughout the night, and I found that in the six months immediately previous to the passing of the Act there were 461 persons taken into custody for drunkenness after 10 o'clock on Sunday night, and after the passing of the Act the number diminished to 210.

892. That was the effect, was it, of closing the public-houses one hour earlier on Sunday night?—Yes, of curtailing the hours by two and a half; they close now at 11; that Act caused them to close at 10.

893. Then that was closing one hour earlier?—Yes.

894. I understand you to say that you have

taken the number of cases reported to you as occurring after 10 o'clock on Sunday night, and you state that during the time when under Mr. Wilson Patten's Act the public-houses closed at 10, the number of cases occurring after 10 o'clock on Sunday night were reduced more than one-half?—Yes.

895. You think that that fact was caused by closing the public-houses one hour earlier?—I think so.

896. I suppose the question of their being closed or open in the afternoon did not affect the cases occurring after 10 at night?—No.

897. Were there many complaints of the inconvenience caused by the short time during which the public-houses were open?—No, I do not remember any representation being made to me to that effect.

898. You do not remember any expression of feeling in the borough to that effect?—No.

899. Was there any strong expression of feeling in favour of the change by the inhabitants?—I think it gave satisfaction.

900. And did the number of cases increase after the repeal of the Act of 1854?—The Act was only in existence, I think, about nine months.

901. During which time you have stated the effects in one particular; was there a corresponding falling away after the repeal of that Act?—I have no figures to show that; but my own opinion is that it would increase drunkenness, upon the principle that the more you diminish the time, the more you will diminish drunkenness.

902. But you cannot state to the Committee any facts upon that point?—No, I have no figures.

903. Could not you furnish the Committee on your return home with statistics of the cases of drunkenness and crimes arising out of drunkenness reported in the year following the year 1854?—I have them all here.

904. But not with reference to particular hours?—No.

905. Can you give us the results as regards Sunday?—I have a table which shows the cases of drunkenness commencing from the year 1858, running

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running down to 1867 inclusive, showing how many persons were taken into custody for drunkenness, and how many were proceeded against by summons, and for the last two years they show the refused charges, because I think that is a material point. The refused charges are those where a person is brought to the bride-well, and he may have been a little noisy and disorderly from the effect of drink, and upon promising better behaviour he is allowed to go away, for no person enters the door of the bride-well without some note or memorandum being made as to why he was brought, and why he was allowed to go. It may be that he has some friend who may say, if you let him go, he is a decent man, and I will see him home; that is called a refused charge.

906. Is the refusing of charges in the discretion of the officer on duty?—Yes, and with the Bride-well keeper.

907. Mr. Locke.] He does not take him into custody and put him into the Bridewell, does he?—No; he is merely at the comptor, if you may call it so.

908. He does not lock him up?—No, and the man does not appear in the police annual statistics as a case of drunkenness; neither do those cases come under the head of drunkenness where there is a graver offence; much drunkenness is merged into graver offences, such as stabbing or stealing.

909. Mr. Horsfall.] Were those statistics of the number of charges continued during the whole time to which you refer?—Yes.

910. Chairman.] Is it stated in the paper before you whether there is any distinction shown between Sunday and other days with regard to the number of cases of drunkenness?—No.

911. Will you furnish the Committee, on your return home, with statements of the number of persons reported for drunkenness in the successive years after 1854?—Yes; and distinguishing the refused charges, also, do I understand?

912. I think, distinguishing Sundays only; and if you would take it from four o'clock on Sunday morning to four o'clock on Monday morning, that will correspond with the similar returns for the Metropolis?—Yes, I will do so.

913. Will there be any difficulty in doing that?—None whatever.

914. Is it your opinion that if the hours during which liquors might be sold were still further reduced, there would probably be a good deal of illicit trade?—I am not prepared to say so. If you mean that spirits would be sold in shops and places not licensed, that would be a matter which the excise would have to take action upon.

915. You would not consider that it was part of your duty to prevent such sale?—Yes, decidedly it would.

916. But do you not think that that kind of offence would increase?—I think that it would be kept down very much by the severity of the excise penalties; the excise penalties are very severe.

917. Would you be in favour of the restrictions going as far as is proposed in this Bill, namely, that no liquor should be sold on the premises for consumption on the premises?—I have thought a good deal of that; and the only point that I am afraid of is, that it might lead to drinking in the streets.

918. Do you think that that would probably be the result if none might be consumed on the

premises?—Yes, especially at first; but the police would be bound to remove any obstruction; and such a matter as drinking in the street out of a can, or a bucket, or a jug, would constitute somewhat of disorder, and the police might interfere.

919. There are a great number of persons in Liverpool of a class that have very small lodgings only to live in, and who eat and drink chiefly in public places, are there not; a great number of the labouring population.

920. Yes; they are great frequenters of public-houses?—And the daily habit of the poorer of the working men would be to resort to a public-house for refreshment in the way of drink?—Yes.

921. Supposing, during Sunday, when they are doing no work, they were not able to drink at all in a public house, would that make a great change in their habits?—I have had a great deal of conversation upon this point with clergymen, and in two cases with two eminent brewers and with the people generally, and I give you the opinion of 1,100 men, because, in all matters of consequence I take the opinion of those who are the seniors in the force, and they are one and all of opinion that if the hours were curtailed so, the drunkenness would diminish, and I think, if I may express an opinion which I have picked up elsewhere as my own, that if one hour and a half were allowed in the middle of the day, and one hour and a half in the evening, that would be a matter which would give very general satisfaction indeed. I think clergymen and others who go in for the total closing would be very much satisfied, and I think, speaking of Liverpool, that those who are for partly opening only would also be satisfied.

922. I suppose it would give satisfaction to those who desire more restrictions?—Yes.

923. But are you prepared to say that the majority of the community, or of any class in the community, are desirous of increased restrictions?—I think they would be satisfied with the hours I have named.

924. Do you think that the bulk of the labouring population would be satisfied with the hours proposed in the Bill?—After a short time they would.

925. Perhaps I might remind you that the Bill proposes several things; in the first place, that there should be no liquors consumed on the premises unless by a person who is taking a *bonâ fide* meal?—I think that it would have a good effect if that could be accomplished.

926. The Bill proposes, as far as places out of the metropolis are concerned, that no drinking whatever should be allowed in public-houses on Sunday, and that liquor should only be sold to be consumed off the premises between one and half-past two, and between eight and ten at night, do you think that the bulk of the labouring classes in Liverpool would accept willingly restrictions to that extent?—I do not think they would complain. I may say that there are 214 places in Liverpool which have spirit licenses, and 156 of those are public-houses in every sense of the word, and those 214 are entirely shut on Sunday and voluntarily shut.

927. What number of houses sell beer in Liverpool?—Eight hundred and nineteen, not including public-houses.

928. You are aware, are you not, that the Bill would prevent any beer being sold to be consumed

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sumed on the premises in all of those 819 houses?—Yes.

929. And you have that in mind when you give that answer that you do not think there would be any general complaint?—Not a general complaint; there would be a little grumbling at first. But that number does not include public-houses; there are 1,945 public-houses, besides those beer-houses.

930. Then your answer is to be understood to include all those houses?—All of them.

931. Mr. Roebuck. I want to get at your theory about this business. You have laid down a rule that the more you diminish the time of drinking the more you diminish drunkenness: if you were to put an end to all kinds of drinking whatever, do you think you would put an end to all drunkenness?—I do not give it you as a theory, I give it you from personal observation.

932. Do you think that if you put an end to all the time of drinking you would put an end to all kind of drunkenness?—No, I do not think you would put an end to all drunkenness.

933. How do you come to the conclusion that the more you diminish the time of drinking the more you would diminish drunkenness?—Because you diminish the opportunities for getting drunk.

934. I put it as a necessary consequence of your proposition, that if you stop the time altogether you would stop the drunkenness altogether; would that be so?—No.

935. You put this general proposition, that the more you diminish the time for drinking the more you diminish drunkenness; therefore you come to the conclusion that the restrictions in this Act are good because there are further restrictions. Now, I push your proposition to its limits, and say, supposing that you put an end to all time of drinking would you put an end to all drunkenness?—I suppose not.

936. Then where would you stop?—I would give a moderate time in the morning and afternoon.

937. You say that an hour and a half, during the middle of the day, and an hour and-a-half in the evening, would be, in your notion, what ought to be allowed for the sale and drinking of liquors on the Sunday?—Yes; I think that that would satisfy the public.

938. I want to know if, in that hour and-a-half, you would allow any drinking on the premises?—No, I would rather not.

939. Then you lay down another extraordinary proposition, that drinking out of a can in the street would constitute disorder; do you mean to tell the Committee that if I went into a public-house and bought a glass of beer, and walked into the street and drank it, I should be guilty of disorder?—No; I did not mean that at all; I meant that a number of men might send in a great can into a public-house, and get beer and drink it in the street; it might lead to that; and then if they were drinking beer with the general accompaniment of noise, producing disorder, the police would interfere with it as an obstruction.

940. Supposing this Act were passed, that a man could not drink anything in the house, and there are three of them round the door, and he sends in his friend with a can, and he comes out with a quart of beer, and they stand in the street and drink it, do you mean to tell me that you would interrupt them?—No, I would not, if they were not guilty of disorder.

941. Supposing they were perfectly decent people and behaved properly, and made no noise, what should prevent men doing that if this Bill were passed?—There would be no interference with them as long as they were quiet; but drinking in the street would appear unseemly on Sunday.

942. That is what I think it would, and that is one of my objections to this Bill; but I want to know whether it constitutes, in your mind, a recommendation of this Bill, that it might lead to drinking in the streets?—It might at first; but the police regulations would take care that it did not go to any great extent.

943. I see you have a great idea of police regulations; but I do not think that you will put down drinking by police regulations; do you think so?—No.

944. You say that this Bill would do good, and that it would prevent drunkenness?—I think that those hours would give two opportunities, and as to those who stay in a public-house longer than that, it is merely for the convenience of drunkards who would remain there as long as the house is open.

945. But you see they are only to go in for the purpose of buying; they cannot stay there during the supposed hour and-a-half, and drink quietly their jug of beer; that is not permitted by this Bill; the house is to be shut up for all those purposes during the whole of Sunday?—I quite understand that to be the case.

946. When you say that that would prevent drunkenness has it ever entered into your mind that while you are doing that good you might be doing evil?—No; I do not see the direction.

947. Then, supposing that I was not a *bonâ fide* traveller, but took a walk for my pleasure as I used to do, when a young man, and I was very thirsty, and saw a public-house, would you think it no mischief that I could not go into that public-house, and get a glass of beer?—That would be an exceptional case, speaking generally, for a large town. I spoke of the matter generally.

948. Do you think that it is an exceptional case that men walk out on the Sunday evening?—No.

949. That is the very case I put to you; would there not there be a large mass of inconvenience that thoroughly decent and proper people (decent and proper people get thirsty, you know), wanting to get a glass of beer should, by this Bill, be prohibited from getting it or drinking it, and sitting down to relieve themselves after their walk?—I think that the great good the restriction would do would counterbalance the inconvenience of a few.

950. Do you think that it is no evil and inconvenience that a man walking on Sunday evening, for his pleasure, gets thirsty and cannot, by the operation of this Bill, get a glass of beer, which he can drink sitting down in the house?—Not as compared with the general good.

951. Do you think that any inconvenience at all?—It would be in the case you describe.

952. Then you see you do not contemplate the case I put to you, did you ever contemplate any possible mischief that you might be doing; that whilst you are doing the good of preventing drunkenness there is a mischief which you allow you would do?—Not mischief; I still again must answer that question by thinking of the general good which restricting the hours, by the provisions of this Bill, would do.

953. You

953. You do not consider the inconvenience and mischief?—No; I would lose sight of that in the general good.

954. That is merely reiterating your proposition; I want to know if you have thought of all the evils that would arise; for example, there are excursion trains out of Liverpool on Sunday, are there not?—They very seldom come on Sunday, excepting Whitsunday and holidays; but they generally bring their own provisions with them. The town complains that excursionists never spend any money.

955. Do you mean to say that they take beer in a hot carriage, and carry it all the way (10 miles, say) from home?—They bring a basket with them.

956. Do I correctly understand you to say that there are no excursion trains which leave Liverpool on the Sunday and come back again in the evening?—Very few.

957. I presume you know that there are amazing numbers that do it in London?—I am not well acquainted with London; I spend very little time in London.

958. Do your statistics about Mr. Wilson Patten's Act extend over the six months of its operation?—Yes; before and after the passing of the Act.

959. Have you got any statistics respecting the time which passed immediately after the Act was repealed?—No; the Chairman asked me that question before, and I regret that I have none.

960. Will you tell me why you have none?—Because I did not know upon what subject I should be asked, except the provisions of the Bill.

961. Have you any statistics in Liverpool with regard to that?—I can get anything in the shape of figures from books, which are correctly kept.

962. We may sum up your evidence thus, may we not: that you believe that the restrictions hitherto have been beneficial, and that therefore further restrictions would be beneficial?—I think so; and I again repeat that I spoke with an eminent brewer, who owns at least 50 houses, and he has shut up every one of them on Sunday; and I repeat that there are 214 places which have spirit licenses, and 156 of those are public-houses, and those 214 shut for the entire day voluntarily.

963. Mr. *Horsfall*.] You are in the habit, are you not, of making a report to the town council every year as to the state of crime and the extent of drunkenness in Liverpool?—Yes.

964. Will you be so good as to say whether this is a correct statement in your report of 1854: "The new Act, closing public and beer houses on Sunday from half-past two until six o'clock p.m., and from ten o'clock p.m. until four o'clock on Monday, has been attended with most beneficial results in the low neighbourhoods; for, although the streets are as crowded as ever during the day by people from narrow streets and courts taking advantage of the open air, there has been an absence of that violence and disorder which was the characteristic of Sunday evening prior to the passing of the Act"?—That is my writing.

965. And that is your opinion still as to the effect of Mr. Wilson Patten's Act?—Yes.

966. Do you know Mr. John Cropper of Liverpool?—I know him well.

967. He is a very active magistrate, is he not?—Yes, I know Mr. John Wakefield Cropper, 069.

the magistrate, and I know he is one of the most benevolent gentlemen we have.

968. You would put faith in any statement which he put forward as a fact?—Yes, certainly.

969. Do you recollect the canvass of the town which took place some four or five years ago, with reference to the entire closing of public-houses on Sunday?—I do, and I recollect the gentlemen who took part in it; the Rev. Mr. Falloon, the Rev. Dr. Verner White, and so on.

970. They then put forward, and signed an official statement as to the number of parties who were in favour of the entire closing and those who were not; you have seen that statement, no doubt?—Yes.

971. They stated that out of the 724 publicans in Liverpool, 432 were in favour of entire closing and that 199 were against Sunday closing, and 93 were in favour of closing, except for two hours; do you believe that to be a fact which is put forward and signed by those gentlemen?—I do.

972. I think you stated that there were a large number of publicans who have voluntarily closed their houses?—Yes, particularly Mr. Walker and Mr. Rigby, two very large proprietors of public-houses.

973. The honourable Member for Sheffield asked you whether the passing of such a law would not be attended with inconvenience; no doubt it would; I presume there are very few laws passed which are not attended with inconvenience to some parties?—At the first start there is a little difficulty in their operation.

974. Do you think that drunkenness has increased or decreased latterly in Liverpool?—I have been surprised at the figures because the table which I have here shows rather a decrease.

975. Will you just read the figures for the last few years, including the period when licenses were, I might say, almost unrestricted?—This table shows the number of licenses granted, and it also shows the number of persons taken into custody for drunkenness. In 1858 there were 9,550; proceeded against by summons, 279. In 1859, 10,470, and 567 by summons. In the next year, 1860, the number taken into custody was 10,112, and the number proceeded against by summons, 851. In 1861, taken into custody, there were 9,022; proceeded against by summons, 810. In 1862, taken into custody, 11,322; proceeded against by summons, 754. In 1863, taken into custody, 13,043; and proceeded against by summons, 871. In 1864, taken into custody, 13,278; proceeded against by summons, 724. In 1865, taken into custody, 13,156; proceeded against by summons, 766. In 1866, taken into custody, 12,332; proceeded against by summons, 672. In 1867, taken into custody, 11,932; proceeded against by summons, 571.

976. What year was it in which the magistrates gave almost what you may call unrestricted licenses?—In 1862, 124 licenses were granted, and 24 were taken away. In the next year 30 were granted, and 16 taken away. The alteration was in the next year, 1864, and then there were 147 granted. In 1865, 126. In 1866, 22; and in 1867, 9.

977. Did you find any increase of drunkenness in the years when the large number of licenses were granted?—No; those figures do not bear that out.

978. You think, on the whole, that even under the present law drunkenness has decreased?—Very slightly; but again I say that these figures do

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do not show merely the drunkenness; there are a great many crimes in which drunkenness is merged, and also those refused charges swell up the very large number.

979. Mr. *Baines*.] The refused charges are not included in the figures which you have given us as taken into custody?—No.

980. Mr. *Horsfall*.] Are you aware what the increase of the population has been during those years to which you have referred?—No, I am not; but by the calculation of the census, the population in 1861 was 443,874; and now by taking the average increase during the four years, I calculate that it represents 492,000 as against 443,000, which is nearly half a million; but the tonnage of Liverpool brings in a very large floating population which adds very much to the drunkenness of Liverpool. There is a floating population of 20,000 seamen.

981. Referring again to the statement which has been published by those gentlemen whose names you have mentioned, it is here stated that out of 17,428 labourers, householders, 15,092 were in favour of the entire closing; do you think that that is probable?—Yes.

982. You have no doubt that it is a correct statement on the part of those gentlemen?—I have no doubt that it is.

983. You know how the canvass was taken, do you not?—Yes, quite so; I have every faith in the figures which those gentlemen have given.

984. That would lead you to the inference that both the publicans and the labouring classes are in favour not only of partial but of entire closing?—No, I think a great many are in favour of entire closing, but I think that a large section of the community are against entire closing. A moderate time in the forenoon and a moderate time in the evening would satisfy both parties.

985. I perfectly understood you to say that your opinion would be an hour and a half in the morning, with an hour and a half in the evening; but I ask you whether, with the statement which is put forth here, that such a large preponderance of the labouring classes as well as publicans are in favour of entire closing, it would not be desirable that that should be done?—I think that it would be a hardship upon the working classes not to have an opportunity of getting some drink.

986. Those parties who have been canvassed represent householders only; but you think that there is a very large population in Liverpool who are not householders, and who would feel it to be a grievance?—I think so.

987. Mr. *Evans*.] I think I understood you to say, and, in fact, you gave figures to show it, that during the time that Mr. Wilson Patten's Act was in operation, there was a very great diminution in the number of persons taken up for drunkenness after the hour of 10 on Sunday?—Yes.

988. Supposing that the public houses were to be closed at 10 on Sunday, other things remaining as they are, do you think that that would have a good effect?—I think that an hour gained would be a great advantage.

989. Is it customary for many persons who live in Liverpool to take any of their meals at public-houses?—I think not; as a general rule they go there merely to drink.

990. You think that a very small number of

persons would take their meals at public-houses?—I think so; they go to refreshment houses and other houses.

991. I gather from what you have said, and also from the figures that you have given the Committee, that on the whole drunkenness has diminished in Liverpool since the year 1858; when do you think this diminution of drunkenness commenced?—In the year 1858 the number was 9,550; then we got to 10,000 in 1859, and 9,000 in 1861; then in 1862 it seems that it ran up to 11,000 and 13,000 in 1863, and now it is back to 11,000.

992. But what year was it that the numbers began to diminish?—1858 shows the smallest number of any year.

993. It increased up to a certain time, and then it began to diminish; when was it that it began to diminish?—In 1866.

994. Not before that?—No.

995. The population, I presume, has increased during that period?—Yes, it is nearly half a million now, against 443,000 in 1861.

996. What proportion do the women bear to the men in the statistics of drunkenness, in Liverpool?—They are a very heavy figure.

997. Do they amount to anything like a third or a fourth?—I should think that there are as many women as men.

998. Do you think that drunkenness is increasing among women, as compared with men?—I think so.

999. I think you stated that there were very few special trains on Sunday at Liverpool?—Very few.

1000. Mr. *Yorke*.] Is it your opinion that the drunkenness which takes place among women is owing to drinking in public-houses, or in private houses?—Not in private houses, in public-houses and beer-houses, the last is a class of house which is frequented very much by the lowest class of people. There are 819 beer-houses. The public-houses, generally speaking, are well conducted, but the beer-houses are the lowest class of house, and, with the exception of a very few, where the occupiers may be in the expectation of getting a spirit license, they are very badly conducted, and they are very much resorted to by women.

1001. If drinking in private houses has increased owing to the prohibition of drinking in public-houses, it would be chiefly among men, and not among women; and I presume that a great proportion of the cases that come before you arise from drinking out of public-houses?—The beer-houses and the public-houses are the great root of the evil.

1002. Is it your opinion, that if the restrictions in the Bill were enforced, drinking in private houses would or would not be increased?—I do not think it would.

1003. Was there any Act passed in the year 1866, or were any measures taken which would reduce drunkenness, in your opinion, because that is the date at which the diminution in the statistics begins?—No, there has been no alteration of the hours since 1855, when Mr. Wilson Patten's Act was repealed.

1004. Can you form any opinion as to the causes which tended to diminish drunkenness from the year 1866 up to the present time?—No. It perplexes me to give a reason. Although my figures show that drunkenness has diminished slightly, from my personal observation I do not think that it has diminished at all.

1005. Do

1005. Do you think that statistics in matters of drunkenness are always reliable; for instance, do you not think it possible that the increased number of cases of drunkenness might be owing to the increased efficiency of the police force, rather than to the diminution in drunkenness; is not that one of the causes which might tend to alter the statistics, without the cause being an alteration in the condition of drunkenness or otherwise in a town?—I am rather at a loss to answer that question.

1006. My object is to see how far those statistics which you bring forward are reliable as testing the real condition of the town as regards drunkenness?—I do not think that the statistics show the real state of the town.

1007. In your opinion, those statistics are not reliable as testing the comparative amount of drunkenness prevailing in different periods?—Those figures are perfectly truthful; but, for instance, in the case of any person, although he may be very much under the influence of liquor, if he is quiet the police have orders to advise him to go home, and not get into trouble; and then with regard to a refused charge, whenever there is an opportunity, or there is any chance of a person finding his way home, he is not detained.

1008. In considering the expediency of passing an Act such as the one which is before us, would you consider that statistics such as those which you produce are a reliable basis for legislation or not?—I think so.

1009. Is that quite consistent with the answer which you gave just now; if you consider that they are not reliable as a test of the amount of drunkenness at different periods under different conditions, I mean at one period under certain restrictions, and at another period under increased or lessened restrictions, would you consider that such statistics, not being a fair test of the drunkenness of a town, would be a satisfactory basis for legislation?—I again repeat that the figures are accurate, but I do not think that they represent by any manner of means the drunkenness that takes place in a large seaport like Liverpool, where the tonnage exceeds the tonnage of London, and where the docks are so close to the town, or in the town rather.

1010. Mr. John Abel Smith.] I think I understood you to say that there was a decrease in drunkenness in Liverpool in the year 1866, but which you could not account for?—I could not account for it; I referred to apprehensions for drunkenness, and to proceedings by summons.

1011. Was Sir George Grey's Closing Act of 1864 extended to Liverpool?—Yes, the town council adopted it.

1012. When was it adopted?—Very shortly after it was passed.

1013. Do you know what the effect of that adoption was?—Yes, it had the effect of clearing the streets in very objectionable neighbourhoods, corresponding with the Haymarket in London, and the neighbourhood of dancing-houses.

1014. Do you know anything at all of the feeling of the working classes in Liverpool with regard to restrictions on public-houses?—I think that the large respectable portion of the working classes would be satisfied with having two opportunities during the Sunday of obtaining beer.

1015. The honourable Member for Southwark wants to have a clearer explanation of that state of things; what I understand you to say is, that

a large majority of the respectable working men in Liverpool would be satisfied with a state of things which excluded them from drinking on the premises, and gave them opportunity of purchasing beer for two several periods in the day, of an hour and a half each to be drunk off the premises?—I think it would be considered a hardship, at first, that they should not be allowed to drink on the premises, but I think that that would wear out. In answer to the second question, with regard to the respectable portion of the working classes, I think they would be quite satisfied with having two opportunities of getting their dinner beer and their supper beer on the Sunday.

1016. Should you have any fear of a public disturbance following such a change in the law in Liverpool?—Not for a moment.

1017. You would have no idea of being unable to put down any resistance of the lower classes?—Not for a moment.

1018. With regard to the canvass that took place in Liverpool of the feelings of the householders with respect to Sunday closing, are you confident yourself that it was an honest attempt to get at the real feeling of those people?—Yes, I know the gentlemen well; the clergymen are highly respected; none more so in Liverpool.

1019. You have been asked by the honourable Member for Sheffield with regard to the inconvenience arising to people taking a walk and being unable to get a glass of beer if they were thirsty; would not it be inconvenient to those people if they were hungry that they could not go into a baker's shop and get some bread?—Yes, of course.

1020. Have you any doubt that the cause of the immense majority of criminal acts in the country arises from drunkenness?—Rather more than three fourths.

1021. Does the drinking on Sunday exceed that on other days in the week?—Yes, but the blackest hours of the whole week are the late hours on Saturday night; from 10 to 12 on Saturday night; I think those are the two blackest hours in the week.

1022. Saturday night, I understand you, to be the worst period in the week, and Sunday drinking comes next, does it not?—Yes.

1023. And inasmuch as crime is the result of drinking, a large amount of crime, I will not say what, but a large amount of crime is referable, you think, to Sunday drinking?—I think so.

1024. Then you are in favour of a restriction upon the present hours of drinking upon Sunday?—Yes, uncommonly.

1025. Do you believe that there is any other limit to the restriction in favour of temperance of the lower classes except this, that the restriction becomes at last so severe as to be intolerable. I ask you that question with reference to your answer to the honourable Member for Sheffield?—I am sorry to say that I hardly understand the question.

1026. I understand you to be in favour of restriction; and that you think restriction upon beer drinking is conducive to public morality and public good?—Yes.

1027. But there is, of course, a point at which that restriction becomes intolerable if carried too far?—Yes.

1028. That point of its becoming so inconvenient as to be intolerable, is what in your mind would be the limit to restriction?—Yes.

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1029. Do I correctly apprehend that that is your opinion?—Yes.

1030. Will you be so good as to state whether going out of Liverpool on Sunday on excursions either by train or otherwise, is the habit of the place at all?—No, not at all; it is the exception.

1031. Do you know the habits of any other large towns in Lancashire besides Liverpool, with regard to Sunday excursions?—No, I do not.

1032. Do you know the habits of Liverpool as regards the dining at public-houses on Sunday?—I believe that there is very little dining in public-houses on Sunday in Liverpool.

1033. Is it the habit in Liverpool generally for people to dine in their lodgings?—Yes.

1034. Therefore with regard to those habits, the power of getting drunk for two periods of an hour and a half, or two hours each would enable them with their meals to get all that they now get?—Quite so.

1035. With regard to the disposition and feeling of the owners of public-houses in Liverpool as to closing on Sunday, do you believe that they are in favour of it generally or not, if there was one law or rule applicable to all?—If all were to agree, I think the public-house keepers would rather prefer being open twice a day.

1036. Without drinking on the premises?—No, I am not quite sure about that.

1037. You think that they would be in favour of retaining the day for the benefit of the trade?—I think they would.

1038. But still there are at present 214 public-houses in Liverpool shut on Sunday?—Yes, and a very large proportion of them belong to two gentlemen, eminent brewers.

1039. With regard to the women's drinking, you say that you fear there is an increase of drinking among the women?—Yes; a great many persons when they knew that I was coming to give evidence upon this point, were very anxious that I should introduce the subject of beer-houses, which are not under the control of or are not licensed by the magistrates at all. They go to the Excise and pay three guineas and have a beer license, and those are the class of houses that do a great deal of mischief, and magistrates have spoken to me of how desirable it would be if such beer-houses were under the like control, with public-houses to be licensed by the justices and not by the Excise.

1040. That is not a part of our inquiry; but with regard to the increase of habits of drinking amongst women I think, I understood you to say that you fear it is increasing?—I think so.

1041. Do they drink in public-houses or at home?—In public-houses, and especially in the beer-houses.

1042. Do you believe that if they were restricted from drinking in the beer-houses, they would drink as much at home as they would there?—No, I think that that would reach the women uncommonly well.

1043. Do you believe that the women and children would benefit very largely in Liverpool if the expenditure of the working men on beer on Sunday was reduced?—No doubt of it.

1044. A very considerable amount of the earnings of those men are spent on Saturday night and Sunday in the public-houses, are they not?—Yes; and that money is diverted from the clothing and education of their family.

1045. Do you know at all what are the num-

ber of children that are overlaid annually in Liverpool?—I have a return upon that point. It is a return of inquests held upon infants found suffocated in bed with their parents, on each morning of the week, for the year 1867. The term suffocated includes those children who are overlaid chiefly, and the numbers are as follows: On Saturday 17, Friday 15, Thursday 15, Wednesday 15, Tuesday 13, Monday 16, Sunday 36.

1046. To what do you attribute that remarkable increase on Sunday?—To Sunday drinking.

1047. *Chairman.* When you say Sunday, are those 36 cases that happened on Sunday morning, or on Monday morning?—They would take place upon the day before.

1048. *Mr. John Abel Smith.* Then it was the Saturday drinking, was it?—On the Sunday it was 36, and Monday 16.

1049. *Colonel Fane.* What do you mean by Sunday?—Saturday night and Sunday night, the inquest would be on Monday morning.

1050. *Mr. John Abel Smith.* When you say 36, are you giving a return of the two days?—No.

1051. The return of 36 is a return of the children overlaid or suffocated, or whatever term you use, on Sunday?—Yes; on Sunday. This return is prepared in the coroner's court.

1052. *Mr. Baines.* Do you mean on Sunday night, and discovered on Monday morning?—No, I think that the fact took place on the Sunday; so I read this return. It is a return of inquests held upon infants found suffocated in bed by their parents, on each morning in the week, for the year 1867; the term "suffocated" includes those children overlaid; and on Sunday 36 were overlaid.

1053. *Mr. Locke.* There were no inquests held on Sunday?—No.

1054. Then the inquests held on Monday included those who were overlaid on Saturday and likewise on Sunday?—I do not read the return in that way.

1055. What are you reading that from?—From a return which shows seven days, and the Saturday has its proportion as well as the Sunday.

1056. *Mr. Yorke.* As I understand, it is on Sunday morning that they were found?—Yes.

1057. Then that would be owing to drinking on the Saturday night?—Or on the Sunday morning.

1058. It must be from the effects of drinking on the Saturday night, must it not?—I think the case would be produced before the coroner as a fact which happened on Sunday.

1059. As showing that the effect of drinking is to produce the overlaying of infants on a particular day, this would go to show that it was the drinking on Saturday night which, during that night, caused those infants to be overlaid?—I only received the return yesterday; it was made from the coroner's court, and I have not those particulars.

1060. On the showing of the return, you say on each morning of the week a certain number of infants were overlaid; that on Sunday morning 36 infants were overlaid. If that bears relation to drunkenness at all it must bear relation to the drunkenness on Saturday night?—Yes, quite so.

1061. *Mr. John Abel Smith.* The deaths by suffocation on the Sunday must arise from Saturday night's drinking?—Yes, and Sunday morning.

1062. Is there a great deal of drinking on Sunday morning?—Yes; a great many informations

tions are laid, against beer-houses specially. There are men sent out in plain clothes, to check Sunday trading; two inspectors in uniform, two first-class constables, and eight men in plain clothes. They begin at 11 o'clock on Saturday night, and visit the beer-houses which should close at 11 o'clock, and the public-houses which close at 12.

1063. I understand that the general purport of your evidence is, that you approve of the principle of a further restriction on Sunday drinking, and you think that such a measure as has been referred to this Committee might at first produce discontent and grumbling, but that it would be afterwards received, and would have a beneficial effect upon the community?—I think that it would produce great general good.

1064. *Mr. Baines.*] I think you have undertaken to produce further returns to the Committee when you get home, besides those which you have now produced?—If I am furnished with any request from this Committee, so that I may perfectly understand what returns they want, I will take care to furnish them at a very early date; going back for so many years would require some three or four days.

1065. *Chairman.*] Would it be very difficult to give those returns for every day in the week?—No; it is the simplest thing possible; it will only require a little time, and to be prepared with great care.

1066. *Mr. Baines.*] I wish to ask whether those returns would include the refused charges?—Yes, if you desire it.

1067. I also want another column, if you can give it, for cases of crime which arise out of drunkenness, but are not specified under the head of drunkenness, that is to say, which merge in other offences, and are not therefore included under the general head?—You refer to charges of stabbing arising out of drunkenness, for instance; that will take some little time, but it can be very simply done by referring to my books. There is no difficulty about it.

1068. I see one column of your return is headed "refused charges," persons being drunk, and those amount to several thousands; and other cases, where drunkenness is merged in other offences; those also amount to several thousands?—Yes, it is a very heavy figure.

1069. It is those which the Committee wish to have included in the return which you are to furnish them with?—I will take care that it shall be done.

1070. The return which you have given us only goes back to 1858; could you carry the return back to 1853, a date prior to Mr. Wilson Patten's Act?—Yes.

1071. *Mr. Hibbert.*] With respect to the return which you have put in about the number of inquests held upon infants suffocated in bed, I see it is stated at the bottom of the return that the large number on Sunday morning may be in a great measure attributed to the Saturday night's debauch. I presume that, as there is a return for every morning during the week, the 36 on Sunday morning must be owing to the large number of cases of drunken women on Saturday evening?—Yes. That paragraph appended to the return is a volunteer statement by the officer who is next to myself in command.

1072. I understand that public-houses and beer-houses are not open after 12 o'clock on Saturday night, therefore it must be from 0.69.

drunkenness that occurred, supposing it took place in public-houses at all, before 12 o'clock at night?—Yes.

1073. The honourable Member asked you whether the statistics were reliable. I suppose that the police regulations in Liverpool, with respect to drunkenness, and your instruction to the police with respect to the mode of dealing with drunken cases, have been the same during the whole time of the returns presented to the Committee?—Quite so; they have never varied.

1074. Therefore they would be reliable as far as the town of Liverpool is concerned?—Yes, and they are very carefully prepared.

1075. Though they might not be of any use as comparing Liverpool with other places; with Manchester or Liverpool, for example, they still are of use in comparing one year with another in the town of Liverpool?—Quite so.

1076. Can you tell me what the police regulations are, with respect to beer-houses in Liverpool; have the police the same control over beer-houses as they have over the licensed houses?—They are visited, and more visited than public-houses, because they are far the more disorderly of the two.

1077. On the Sunday, have you more cases of disorderly conduct arising in beer-houses than you have in licensed houses?—Yes, very much more so.

1078. Can you suggest any plan of giving greater control over beer-houses with respect to the police?—Not except as to the license. The beer-house keepers are fined 5*l.* for the first offence, and 10*l.* if there is a second offence within a year, and 50*l.* if a third offence takes place within 18 months, and they lose their licenses, both the person and the house, but then they go into a private house and defy the police, because it then becomes to visit them an act of trespass.

1079. Have you any cases of licenses being taken from beer-houses on account of those offences?—Yes, frequently.

1080. With respect to the cases that occur on Sunday of drinking in public-houses during prohibited hours, have you any difficulty in proving those cases before the magistrates?—No, not during the prohibited hours, the most respectable houses do not offend in that respect.

1081. Have you any cases occurring in Liverpool of drinking during the prohibited hours, either in licensed houses or in beer-houses?—Yes; there were 122 informations against public-houses in 1867, which are not many, taking the whole. There are 1,945 public-houses to begin with, and there were 122 informations laid against them in that one year; and with respect to beer-houses, of which there are 819, there were 673 informations laid against beer-houses.

1082. So that you have a greater number of informations laid against the beer-houses than against the licensed houses?—A very much greater number; the one has a great deal to lose and the other nothing.

1083. When those informations are in some places, the magistrates require proof of sale, but have you found any difficulty in Liverpool in proving those cases before the magistrates?—No, not frequently, they are well defended.

1084. What regulations exist with respect to drinking in the steam-boats of Liverpool; are they under your control?—No; I have nothing to do with them.

1085. Are they allowed to sell drink during

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any hour on Sunday; I mean excursion boats?—I cannot speak to that point.

1086. You have stated that a large number of publicans have already closed voluntarily on Sunday; have you thought that if a system of licenses were granted for six days, supposing a license was granted for a smaller amount than for a seven days' license, a large number of publicans would be induced to take advantage of them?—I have not considered that point.

1087. I suppose the number of publicans who are closing on Sunday has been increasing in Liverpool from time to time?—I think so, considerably so.

1088. Do you think that if you came to propose a greater restriction on Sunday drinking it would be more desirable to do it by curtailing the hours under the present system, than carrying out such an alteration as is proposed by the Bill now before the Committee?—I think that by beginning with restricting the hours there would be an advantage.

1089. Do not you think there would be an advantage in restricting the hours on the present system over introducing a new law entirely, seeing that we should thereby get rid of the inconvenience of having to consider fresh points of law?—I hardly feel myself qualified to answer that question.

1090. Many points of law have arisen from the reading of the Act of 1855, as to what was a *bonâ fide* traveller; all those points are now well understood by the magistrates, but if we were to introduce a new law with respect to drinking off the premises, would not considerable difficulty arise again as to understanding the law?—Possibly there might be.

1091. Would you think that it would be desirable to reduce the number of hours; we will say, taking off one or two hours in the evening, under the present system, rather than carry out the proposal in the present Bill, which is to stop all consumption on the premises?—I think both would be grumbled at very much, but I think that the restricting the hours would be acquiesced in by all.

1092. Do not you think that if you curtailed the hours of opening so that they should be closed at nine o'clock at night, you would give much less inconvenience to people than you would if you closed on the plan proposed by the Bill, that is, of closing it entirely for consumption on the premises, and merely allowing drink to be purchased to be taken off the premises during certain hours?—Yes, I think so; nine or half-past nine, or whatever hour it might be.

1093. *Chairman.*] Would you prefer that drinking should be allowed on the premises for a limited period, or that it should be prohibited on the premises altogether?—I think if you could introduce it, it would be an advantage allowing drinking on the premises for a limited period.

1094. Do you think that that would be better than what is proposed in the Bill?—I think that there would be a difficulty, as many would consider it a hardship in not being allowed to drink in the house.

1095. You think it would be fairer and better, if there is to be a restriction, that the restriction should be as to the hours and not as to the place?—That is quite my opinion.

1096. *Mr. Hibbert.*] Do not you think, from the experience which you have had, that if you make a great change all at once it might cause a sort of reaction against the law, and that it would

be better to carry out a gradual system of restriction?—Decidedly so.

1097. You state that there were no complaints about the restrictions imposed by Mr. Wilson Patten's Act?—No, not that I remember.

1098. You have given in returns with respect to the six months previous to the passing of Mr. Wilson Patten's Act, and six months after its passing; could you give returns for the six months after the repeal of that Act; that is to say, the first six months under the present law?—Yes, very readily.

1099. *Mr. Frederick Stanley.*] You stated your opinion that any discontent which might be caused by further restriction would wear out in time; may I ask upon what that opinion is based?—I think that any reform or any measure of any description whatever might be objectionable to certain parties.

1100. You are aware that Mr. Wilson Patten's Act was a restrictive Act in one sense of the word?—Yes.

1101. And are you not aware that it met with a great deal of opposition locally amongst the populations of large towns?—No, not to my recollection.

1102. Are you not aware that it was repealed within a comparatively short date of its being passed?—Yes, the next Session of Parliament.

1103. Are you not aware that that repeal was owing to the dissatisfaction generally felt in the country with the working of that Act?—Doubtless it was, but from my own recollection I do not remember any symptoms or strong expressions of discontent with the Act.

1104. *Colonel Fane.*] Were you chief constable of Liverpool at that time?—Yes, I have been so 16 years.

1105. *Mr. Frederick Stanley.*] You have stated also in answer to a question that there are not many excursion trains running out of Liverpool on a Sunday?—Very few, if any.

1106. You are aware that there are a good many steamers running there on Sunday?—Yes, but there are no excursion trains.

1107. The steamers, in fact, take the place in Liverpool to a great degree that excursion trains do in other places?—Quite so.

1108. A number of people go to the opposite ferries, leaving Liverpool early in the morning and returning in the summer time late at night, do they not?—They do.

1109. And many of them on returning go to public-houses for the purpose of refreshment, not with the object of getting drunk, but of *bonâ fide* refreshment?—Yes, they do.

1110. Do not you consider that any restriction on the hours at night would produce great inconvenience to those people?—I think they would arrange to meet the hours. If the houses were shut at half-past nine, they would arrange to meet that.

1111. Is it not the fact that many of those excursion parties return at a later hour than nine at night?—Yes, they do.

1112. And to parties returning after that time there would be the inconvenience of finding no place of refreshment open?—There would be that inconvenience.

1113. Is that a class of persons whom you would desire to debar from any justifiable refreshment?—I think that they generally take refreshment with them, but it may be exhausted by the time they came home, if they stay late.

1114. In a case where it is exhausted, it is not

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of very much use to them when they come home?—No, certainly not.

1115. Colonel *Fane*.] Sir Thomas Henry, the chief magistrate of Bow-street, was here the other day; he expressed the opinion that figures were very often extremely fallacious; that is one reason why I should like to ask you whether, in almost all cases where the police are in question, more especially cases where a man or a woman is brought up 30 or 40 times, each case is put as a separate case of drunkenness?—Yes, that individual would represent 30 or 40 persons.

1116. Consequently, in all those cases they are more or less fallacious; there is no doubt that the man or woman has again got drunk, but they are not fresh cases, taking the number of people who get drunk; it would be more or less fallacious, would it not?—It would represent so many more.

1117. Mr. *Locke*.] Do you mean that there are so many cases of drunkenness, but not so many drunken people; that is what your statistics would represent?—Yes.

1118. Have you read this Bill?—I have; it is a very short one.

1119. Have you arrived at a conclusion as to precisely what the number of hours are during which, in the country, public-houses may be open on Sunday for the purpose of selling beer or spirits to be consumed off the premises. They are to be open at one and shut at half-past two; then to close from half-past twelve to eight, and then from eight until ten to open again, for the purpose of selling wines, spirits, and so forth, to be taken away and consumed off the premises; that makes altogether during the Sunday 3½ hours, does it not, during which those things may be bought to be taken off the premises?—Yes.

1120. Then you are aware that, except where it is provided otherwise with respect to the metropolis, none of those articles can be consumed at all on the premises during the whole of Sunday?—Quite so.

1121. You say, do you not, that you think that proposition objectionable as to restricting the sale of liquor to be consumed on the premises, and entirely doing away with the right to do it?—I think it would lead to great discontent and grumbling, but the curtailing the hours would not.

1122. Curtailing the hours during which it might be drunk on the premises, you think, would not?—No.

1123. Supposing you were a legislator drawing a Bill, what hours would you give?—I do not feel myself in a position to speak upon that point.

1124. If you were an autocrat, what would happen to the people under your direction; what do you think you would say, supposing you were to do exactly as you liked upon this question; what number of hours would you have the houses open?—Then I answer that question by saying, I think an hour and a half in the middle of the day and an hour and a half in the evening would be sufficient.

1125. What part of the evening?—After church hours; from eight to half-past nine, or half-past eight to ten.

1126. And in the middle of the day, from one till when?—Till half-past two; that would be clear of the churches going in.

1127. Then you would allow persons to drink on the premises as well as to buy things to take them off?—Yes, I think so.

1128. You do not differ with this Bill except 0.69.

as to half-an-hour; this Bill says from eight to ten, and from one to half-past two in the country; but you would say that in addition to their being allowed during those hours to buy those articles to be consumed off the premises, you would allow them to be consumed on the premises sometimes?—Yes, I think so, on account of the opposition that would be caused by the Act compelling them to take the liquor away, and not to drink it on the premises.

1129. Mr. *Bright*.] In that case, I understand you, you would only really limit the hours, but leave the buying and the consumption exactly the same as it is now?—Yes, the same as now, on account of the opposition it would meet with. It would be a great point to carry; but it would meet with great opposition.

1130. But apart from the opposition, what would you think of it?—I think it would be an advantage that they should have to take the liquor and consume it at home.

1131. Apart from the opposition, you would recommend that the principle of the Bill should be adopted?—Yes. In one way I hardly would recommend it, on account of the opposition which it would excite; but apart from the opposition, I think it would be an advantage.

1132. Mr. *Locke*.] What do you think that opposition arises from; people do not like it, I suppose?—No, they do not.

1133. Do you think it would be advantageous to pass laws that the great bulk of the people do not like?—With submission I am not qualified to answer that question; I do not feel in a position to do so.

1134. You have not given any particular attention to this species of legislation; that is, restricting people without asking them what their views are upon the subject?—My attention is connected with every matter that can happen in a large town.

1135. In a large town like Liverpool, I presume that persons wish to have all the accommodation they can obtain, do they not, and to use it if they please, and not to be forced at any time to go into a public-house, but to have the opportunity of going there if they like, and they would prefer not to be restricted?—Doubtless that class of people who would never be out of a public-house would; but I think the respectable part of the community would not grumble much at those restrictions if they had an opportunity of obtaining their beer twice a day.

1136. Still they would like an opportunity of going to the public-house if they pleased, would they not?—There are a variety of dispositions; some would.

1137. But they need not go unless they liked?—Of course not.

1138. You have been asked with regard to excursion trains, and so forth; but are there not a class of people in Liverpool, as everywhere else, who are obliged to buy their beer at public-houses and take it home to their meals, particularly on Sunday?—Yes, particularly on Sunday.

1139. Do all the people in Liverpool, who buy beer to be taken to their houses to be consumed at their meals, dine precisely at the same time?—I do not know; I suppose the hour for dining is about one o'clock, as far as I can judge.

1140. Is that the case with all people who buy beer to be consumed off the premises?—The working classes dine, as a rule, about one o'clock.

1141. But are there no other persons but the working

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working classes who buy beer to be consumed in their houses at their meals on Sunday?—I do not think the gentry do.

1142. But is there nobody in Liverpool but the gentry and the working classes?—If you will tell me what class you mean I will be glad to give an answer.

1143. I mean the shopkeepers, the middle classes as they are called?—I fancy that they provide for themselves.

1144. But do you know whether they do or not; have you had any opportunity of knowing?—I have had this opportunity, that I go about the town a great deal, sometimes on horseback, and sometimes on foot, both Sunday and Saturday and other days; and on Sunday, I judge of the dinner hour of the working classes, by seeing persons coming from the ovens, and then if you go to another part of the town, the working class part of the town, you see women with jugs going and getting beer, and then in another part of the town you do not meet those persons going out for beer.

1145. Not so much?—No, not by any manner of means. I have described three parties, the working classes, the gentry, and the shopkeepers; I think the working classes do, I do not think the shopkeepers on a Sunday do it.

1146. Do they never buy beer from the public-houses?—There might be exceptional cases, but as a general rule they do not.

1147. You do not see them in such numbers as amongst the poorer classes?—No, certainly not.

1148. Still it would be convenient to others, besides the working classes, to have an opportunity of purchasing beer which must be bought and brought to the house to be drunk fresh at other hours than between one and half-past two, supposing they dine at three or four?—I think that a shopkeeper could keep his beer; in the first place he might not be induced to send for it, and in the other case, he might get it in bottle.

1149. Supposing he preferred draught beer to bottled beer, you would give him that advantage?—I cannot say anything about that.

1150. Is the point at which you are to stop in the limitation under this Bill, to be the point where it becomes intolerable, or can you find out any other point, before that, at which you would stop?—The question perplexes me; I do not know how to answer it.

1151. Do you think that it is necessary that those regulations should become intolerable to persons, or do you not think that if there is only great inconvenience you ought not to put on these limitations?—Intolerable is a very strong word; I must still say that I hardly know how to reply to your question; I am sorry for it, but so it is.

1152. Would you stop before it became intolerable?—Yes, certainly; intolerable means not to be borne.

1153. Then its being intolerable is not the limit?—No.

1154. Do you say that 214 houses are shut up on the Sunday, and they belong to two gentlemen?—No, pardon me for saying so; I said that there were 214 premises which have spirit licenses attached to them, which shut entirely on Sunday, and of that number 156 are entirely public-houses, and the other 58 are restaurants, and hotels, and so on.

1155. But did not you say that those belonged to two gentlemen?—A large proportion of them

do belong to Mr. Walker, an eminent brewer, and Mr. Rigby; both are members of the town council.

1156. Those gentlemen own the principal part of the 214 which are shut?—Yes; but before those two gentlemen touched those houses, there were between 50 and 60 which did shut up.

1157. Why were those 50 or 60 shut?—Some of the publicans were church-going people, and others went to the country, and so on; they gave various reasons, and a great many of them said that they preferred giving themselves rest by shutting up.

1158. In what part of the town were those houses?—Principally in the centre of the town, or rather branching out from the centre of the town.

1159. Is that the best part of the town?—It is the most crowded, the most populous.

1160. I mean to say is it the best built?—No.

1161. How many houses were left open beyond that, when those were shut up within that district?—The total number of public-houses is 1,942. There is a column in the return, giving the number of those not doing business; and the return shows that out of that large number of public-houses, 1,942, there are 61 which are not doing business, the premises being under alteration, or not let, as the case may be; but 61 is the figure.

1162. That 1,900 would afford quite sufficient accommodation, would they not, without those which are shut up?—It is a large number.

1163. There are all kinds of people at Liverpool, are there not; sailors, and so on?—Yes; the floating population, on the average, is 20,000, increased by a west wind, and decreased by an east wind.

1164. Are those sailors who merely come into the port, or do they belong to Liverpool?—Not only do not a large proportion belong to Liverpool, but there is a large proportion of foreign tonnage.

1165. What proportion do you say of foreign sailors, and men of that description, are in Liverpool; what number do you say?—About 20,000.

1166. Where do those men live when they are in Liverpool?—Some of them live in the Sailors' Home.

1167. What is provided for them in the Sailors' Home?—They get bedding, and board, and so on.

1168. Do they get wine and spirits?—I do not think that they go in for much wine.

1169. Do they get any spirits?—I do not entirely know, but I believe not.

1170. As to those who do not live in the Sailors' Home, do they live in lodgings or where?—I do not think that they are very particular where they live sometimes.

1171. Is it not necessary that they should have some houses to go to, to refresh themselves?—Quite so.

1172. What are they to do, supposing all these houses are to be shut up on Sunday entirely, and they are not to be allowed to go into them to get any refreshment, unless they take it off the premises, and consume it off the premises; what is to become of those sailors?—They could get refreshment in hours I have suggested.

1173. Mr. Horsfall.] Are there not a number of licensed lodging-houses in Liverpool?—Yes, and of refreshment-houses.

1174. Mr. Locke.] Would it not be inconvenient

venient to those men if all those places were to be shut up?—No, not with two opportunities of getting drink.

1175. I am speaking of this Bill; supposing this Bill were passed, and the public-houses were shut up the whole of Sunday, those men not being allowed to go in at any period on Sunday to drink anything on the premises, would not it be a hardship to them?—I think it would be a hardship being obliged to take it off the premises.

1176. Do not you think it would be a great hardship to all those men who have got no dwellings of their own in Liverpool?—No, because there are a great many houses very ready to receive them.

1177. But they do not supply them with those articles?—Where the sailors live there are a great many eating-houses where they can get refreshment.

1178. With regard to the refreshment-houses, do they sell wine and ale and spirits on the premises?—The refreshment-houses do not.

1179. Have they no spirit license?—No.

1180. Have they a beer-house license?—They have merely a refreshment license, which they get from the Excise.

1181. Cannot they, under that refreshment license, obtain a license to sell wine?—They can.

1182. And do they sell wine?—When you come to a wine license, before you get a wine license you must have a refreshment license. The confectioners and eating-houses have wine licenses, which the Excise grant; but the application must go through the justices, and the police report upon those wine licenses whether the place is suitable: it may be in a bad neighbourhood, or the house may be too small, and the justices have the power to withhold the license; they do not always grant it.

1183. How many do you suppose there are of those refreshment-houses in Liverpool which are licensed for the sale of wine?—About 50, I think.

1184. Have they likewise a license to sell beer, because of course they can obtain it?—No, they have not.

1185. Why have they not?—I do not know; if they apply for a beer license, they can have it; but that is a matter between them and the Excise.

1186. Then it is a matter merely of paying for it?—Yes; three guineas for the license.

1187. In the pastrycooks' shops in London they sell both wine and beer, do they not?—In Liverpool they must have a wine license to sell it.

1188. And so they must in London; but they do sell it in the pastrycooks' shops in Liverpool?—Yes.

1189. Do not they sell Bass's ale there too?—I suppose they do.

1190. Then they have both licenses; now supposing this Bill becomes an Act precisely as it is, would not all those refreshment-houses likewise be obliged to close throughout the whole of Sunday, as far as any consuming on the premises is concerned?—That would depend upon the Legislature.

1191. Look at it; you have read the Bill, you say; you observe it does not say, "licensed victuallers;" it says this, "shall, as respects the sale of the liquors aforesaid, when sold for con-

sumption off the premises, be extended to the following hours, that is to say, from half-past two to eight in the afternoon, and from 10 to 11 in the afternoon; and as respects the sale of the liquors aforesaid, when sold for consumption on the premises, to the whole of the said day;" that applies everywhere?—Yes.

1192. And, therefore, those places likewise would be all shut up?—No doubt; and if they were not, it would give them an undue advantage over the public-houses.

1193. Then, in point of fact, there would be no place where, with the exception of those three and a half hours during the whole of Sunday, anybody could go to get any refreshment unless it was to be taken off the premises; that would be so, would it not?—Yes.

1194. And you say, I think, that that would be a great inconvenience?—Yes.

1195. I have one question to ask you about this overlaying of children, as I understood it; it was stated that on the Sunday there were 36 children overlain?—Yes.

1196. In answer to the honourable Member for Oldham, you stated, did you not, that the 36 would apply to Saturday night?—I hold that the case would be reported on Sunday in my books.

1197. On Sunday morning?—Yes.

1198. Then the children would have been overlain during the Saturday night?—Yes, and on the Sunday morning.

1199. This is a return of inquests held upon infants found suffocated in bed with their parents on each morning of the week for the year 1867, and the term "suffocated" includes those children overlain; then on Sunday morning there were 36, and those must have been suffocated on the Saturday night or the Sunday morning; if that was occasioned by drunkenness, must not the person have got drunk on Saturday?—No, the streets are not clear at midnight.

1200. Colonel Fane.] The public-houses close at 12 o'clock, do they not?—Yes; but still the streets are not clear.

1201. Mr. Locke.] You stated in your evidence that the very worst two hours throughout the whole of the week were from 10 to 12 on Saturday night, then, I presume, you meant by that to say that between those hours of 10 and 12 on Saturday night, more people got drunk than in any two hours throughout the whole week?—Yes; I said that those two hours were the two worst, and I do not depart from it.

1202. Would this Bill remedy that; would not it make it rather worse than better, because a person would have no choice between the Saturday night and Sunday, which he has at the present time to a certain extent?—I hardly know how to reply to that question.

1203. Shutting up the public-house on Sunday could not affect a man getting drunk between 10 and 12 on Saturday night, could it?—I do not think it could.

1204. Therefore the passing of this Bill would not alter at all the number of children who are overlain on Saturday night and Sunday morning?—No.

1205. Then, as far as this number 36 in these statistics is concerned, it does not exactly apply to this particular case?—No.

1206. With regard to your statistics as to drunkenness, as mixed up with the other offences,

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you mention stabbing and so on; how do you arrive at that. Let us take a calendar of prisoners who are to be tried for offences which you very frequently see. Stabbing would be one of those offences, but how would it appear in the calendar, that the man who committed the offence was drunk?—There is in every bridewell what is called main bridewell, which is the head quarters of all those prisoners, and there are a great many out bridewells, district bridewells. Wherever there is a bridewell and a prisoner locked up, there is always what is called a charge-book, and in this there would be entry of "stabbing when drunk."

1207. The indictment would not contain that, would it?—That is a matter for the clerks to the justices.

1208. Take any calendar supplied to any court; you always have put against a prisoner whether he can read or write at all, and whether he does it imperfectly or well; but with regard to drunkenness, there is no column for drunkenness in the calendar, either at the assizes or anywhere else; is there?—Not except it is coupled with a graver offence. I have not the preparing of those sheets for the assizes or the sessions, but I have my own statistics.

1209. I only want to know how you arrive at the fact of the number of persons who have been drunk, coupled with some other offence?—From the charge sheet; it is an entry in the charge sheet at the different bridewells.

1210. But a man has never been convicted of drunkenness, he has only been convicted of the other offence?—I have nothing to do with him after that; he passes through my hands. I am responsible for those books, that a proper entry is made and produced before the justices.

1211. Mr. John Abel Smith.] What is your exact position in Liverpool as head constable; have you any superior officer over you?—No, I am chief of the police.

1212. You dictate to others, but you receive no orders from anyone?—I serve under the watch committee, who are a section of the town council, and act as well under the justices.

1213. How often are you in the habit of going to the bridewell?—Every day of my life.

1214. On Sunday do you go there?—Every Sunday.

1215. And do you see the prisoners?—Yes.

1216. When you are speaking of the habits and characters of the people who are brought in, you speak not only from those returns, but from ocular inspection?—I speak of the state of the town more from my personal observation than from statistics. When I say that drunkenness has decreased, those figures show it to be so; but my personal observation tells me to the contrary.

1217. With regard to vice generally in the town, is Liverpool worse than Manchester as to houses of bad repute?—That is a disadvantage which we labour under in Liverpool; because in Manchester, speaking from their statistics, there are 388 houses of bad repute, I mean brothels, and in Liverpool there are 927.

1218. Do they sell spirits in any of them?—No.

1219. Mr. Horsfall.] Are there not a large number more of public-houses in Liverpool than in Manchester?—Yes.

1220. About three times as many, I think?—

I think, speaking out of book, that in Manchester there are a great many more beer-houses than in Liverpool; but Liverpool exceeds Manchester very much in public-houses.

1221. Mr. Roebuck.] Can you tell me the difference between the population in Manchester and in Liverpool?—Glasgow and Manchester I always look upon as sister places, and I should think that the population in both of them is under that of Liverpool.

1222. Does that include Salford?—I think Captain Palin, who is the chief constable of Manchester, is here, and he can speak with confidence to that which I do not know; in my own case I speak with reference to the area of the borough, which is 7½ miles.

1223. Colonel Fane.] Does the police district extend beyond the borough?—No; it is the country beyond the borough.

1224. Mr. Bright.] How many places in Liverpool holding spirit licenses are shut up altogether on Sundays?—Two hundred and fourteen.

1225. Of those, how many are public-houses?—One hundred and fifty-six.

1226. Of those 156, how many are under the power, or rather, are the property of the two brewers to whom you refer?—I think about 50, or more.

1227. Do you believe that there are 100 public-houses in Liverpool that are closed on Sunday by the action of the occupiers themselves?—Yes.

1228. Have you had any conversation with licensed victuallers on the question which is before this Committee?—No, except those two gentlemen whom I refer to.

1229. They are brewers, and not licensed victuallers?—They are great proprietors of public-houses.

1230. Has it ever come before your observation that licensed victuallers object to closing their houses voluntarily, on the ground that others would keep open?—I think that that operates very much; I think that if they could come to an understanding between themselves, they would have no objection to curtailed hours; but they do not like to shut when their opposite neighbour is open.

1231. Assuming that there is a considerable demand from public opinion for it, if the law were made more restrictive on the Sunday, and made universal, the objection that licensed victuallers would have, would in their opinion be greatly modified?—I think so.

1232. Have you had any opportunity of discussing this question with any of those licensed victuallers whose houses are closed, with regard to the advantages to their families of having Sunday as a day of rest, as other people have?—No.

1233. Have you had any experience of the evil to the families of licensed victuallers, or to the licensed victuallers themselves, from their pursuing their ordinary calling seven days in the week instead of six, as other people do?—No.

1234. The honourable Member for Southwark asked you, in reference to your observation as to the discontent that would arise if their Bill were in operation preventing any consumption on the premises, whether there would be great discontent; do you consider that that discontent would be from the general public, or merely from the limited class who would like to go on any day in the week when they had a chance, and sit down in a bar parlour and drink?—From that class.

1235. Taking

1235. Taking Liverpool, where that class probably is as numerous as in most places, do you think that that class is sufficiently numerous to create any observable discontent?—It would consist principally in expression more than in act.

1236. But the general public of Liverpool, the great bulk of them certainly, do not go to public-houses on Sunday; would they be discontented with the operation of the Bill?—I think not.

1237. If you take every merchant and every professional man, and every shopkeeper, and the great majority of the working men, is it your opinion that they would be discontented with any restriction which this Bill proposes to establish?—I have had many conversations with persons in different stations in life, and all parties, I think, would be quite satisfied, and would be pleased if they had the two opportunities of getting what they want and taking it home.

1238. But the class that likes to sit down in a bar parlour and drink on a Sunday, or on any other day, would be the class that would be discontented to a certain extent?—No doubt. A man who sits long in a public-house I look upon not as a man who goes and gets a glass of beer and leaves, but is a drunkard who would remain in a public-house.

1239. You would hardly recommend the Committee or Parliament to regulate their legislation by the opinion of the class that likes to sit down in public-houses and drink on Sunday?—I do not like to answer that question.

1240. The reason I put the question to you is because of what you said about the discontent that might be created. It is essential for the Committee to know whether, in your opinion, the discontent may be said to be confined mainly to those who would like to go to a public-house on

Sunday and sit and drink there?—Entirely confined to them.

1241. If you were asked to give your opinion as to the vast majority of the women in Liverpool, the wives, and sisters, and daughters; and mothers of working men, do you think that there would be any difference of opinion amongst them as to the advisableness of greater restriction; would they be for it or against it?—The women would be very much for it, I think; it would make a very great difference to their own homes.

1242. Mr. Roebuck.] To test the value of your opinion as to the feelings of licensed victuallers, you say that the feeling now amongst them is, that if one were to shut up his shop, the other would not, and therefore he would be placed at a disadvantage in the competition of life?—Yes.

1243. But you say that if that restriction were extended to all of them, there would not be the sort of discontent that is expressed now when that great monopoly would be created?—In my opinion, if the restriction of hours applied to all, the licensed victuallers themselves would not be dissatisfied.

1244. Have you any idea of the number of licensed victuallers who have petitioned against this Bill?—No.

1245. If you were told that they have presented petitions containing the names of half a million of persons against this Bill, would you say then that your appreciation of the feelings of the licensed victuallers was in accordance with their petition?—That is opposed to my opinion. I cannot speak for the licensed victuallers of England generally, but I think that the licensed victuallers of Liverpool would accept it, and not with dissatisfaction.

Captain WILLIAM HENRY PALIN, called in; and Examined.

1246. You are the Chief Constable of Manchester, are you not?—I am.

1247. How long have you occupied that office?—Rather over 11 years.

1248. Previous to which, what was your position?—I was in the Indian army.

1249. Are you acquainted with the provisions of the Bill before the Committee?—I am.

1250. Does Sunday drinking to excess prevail to a large extent at Manchester?—No doubt of it.

1251. Have you many cases of drunkenness under the cognisance of the police?—Yes.

1252. Can you state to the Committee whether their numbers are greater or less on Sunday than on any other day?—That would be a matter of opinion, I apprehend, because it depends really upon what would be called Sunday drinking.

1253. Taking the hours within the period of which Major Greig spoke, four p.m. Sunday and four a.m. on Monday, would you say that the number of persons arrested for drunkenness was greater on Sunday or less than on any other day?—Not greater. I have prepared a return in anticipation of being questioned upon this subject of the number of persons locked up on charges of drunkenness, and charges in which drunkenness is involved, between one o'clock on Sunday at noon, when the opening of the houses commences, and four o'clock on Monday morning; and I think it would be nearly the same as if we took the hours 0.69.

from four o'clock on Sunday morning, because there are not many people who are brought up for being drunk at that time.

1254. Will you state the result of that return?—The return is for six years. The number in 1862, between one p.m. on Sunday and four a.m. on Monday, was 608; the number during the rest of the week was 5,919. In 1863 the number was 637 on Sunday, and 5,916 for the rest of the week.

1255. Consequently the number was less on the Sunday than on the average of other days?—Yes; I have taken the average out; there is no doubt about it that the average is less. The average number per Sunday, I may say, for 1867 for those hours, was 21.78, compared with 33.21 for the other days.

1256. Have you the number belonging to Saturday?—No, not for Saturday by itself.

1257. Should you say that the numbers were much greater on Saturday than on any other day?—Yes, I think considerably greater.

1258. Are many persons taken up drunk on Sunday forenoon, during the hours when the public-houses are not allowed to be open?—Not so many on Sunday forenoon; that is to say, after sunrise there are not many; most of those who are taken up are taken up in consequence of drinking on Saturday night.

1259. The closing of the public-houses during a certain number of hours does almost prevent drunkenness

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drunkenness during those hours, does it not?—Certainly.

1260. Do you think that if the hours of opening were restricted, as proposed by the Bill, it would be possible to prevent drunkenness to a much greater extent?—It is very difficult to answer that question; I am not prepared to give a definite opinion upon it.

1261. Is it not the case that there is some peculiarity in the way in which those statistics are kept in Manchester?—There was, perhaps, this difference, that those persons who were entered as charged with drunkenness, and appear so in the returns, do not represent all who are locked up for drunkenness. There are some prostitutes, for instance, many of whom are really drunk, but they would not appear in the return as being charged with drunkenness. Then there are carters and persons drunk in charge of horses and carts; those persons are locked up and charged before the magistrate under the Police Act under a special heading, and they do not appear in the returns as being charged with drunkenness; if they were, they would certainly alter the returns to some extent, and increase the numbers.

1262. Do those figures which you have been giving include what are called refused cases?—Yes, those figures which I have been giving include all the persons that have come under the observation of the police for drunkenness; those who are entered as being drunk and drunk and disorderly; drunken carters, drunken prostitutes, and also those who have been taken to the station, and liberated when sober.

1263. It is your opinion, is it not, that the number of cases taken up by the police are on the increase?—They are considerably increased.

1264. Have your police force been increased?—It has within 12 months; but the greatest increase of drunkenness took place before the increase in the police force.

1265. Mr. *Hibbert*.] You have only given a return for the three years, 1862, 1863, and 1867; can you give no returns for the year 1864, 1865, and 1866?—Yes; I have such a return, of which I can give the Committee a copy.

1266. *Chairman*.] But you cannot state, as your opinion, whether the further restriction of the hours of opening would be effectual?—I cannot state that.

1267. Should you say that it would interfere greatly with the habits of the people who use public-houses?—Certainly, of those who use public-houses.

1268. A Bill contemplating that there should be no sale of liquor for consumption on the premises, would that greatly interfere with the habits of a large number of people in Manchester?—Certainly, with their habits, most unquestionably.

1269. Without speaking of those who consume spirits, especially to excess, would it interfere greatly with the habits of those who resort to public-houses to refresh themselves with beer?—Yes, it would interfere with their habits also, because there are many persons who go to those houses to sit and take their beer, and smoke on Sunday evening, and use it as their sitting room.

1270. Would the ability to purchase drink during three or four hours a day not meet the wants of people of that class?—It might meet

their legitimate wants, but whether it would meet the wants of all those persons, I am not prepared to say.

1271. Have you any opinion whether such a change would inconvenience persons who do not resort to public-houses; small tradesmen, for example, who merely send to the public-house for their beer?—No, I do not think it would inconvenience them; I think it would fairly meet their wants.

1272. Do you think that such a change as is proposed, would be very unpopular in Manchester?—My own opinion is, that it would not be so very unpopular.

1273. You think that they would submit to it, when they got accustomed to it?—I think so.

1274. Would you anticipate great difficulty, for a time at least, in enforcing the law, in preventing the sale of liquor at illegal hours?—We should have some difficulty, I have no doubt at first, there would be attempts to evade the law, and the police would have a good deal to do in preventing the sale.

1275. Mr. *Bright*.] Is there any difficulty now in the working of the law of restriction as it at present stands?—There is this difficulty, that the police have to be employed specially on Sundays to watch beer-houses and public-houses, a considerable number of which are reported during the year, and summoned before the magistrates.

1276. Is that to watch certain of them, or all of them; do not the bulk of them conform to the law?—Yes, many of them conform to the law; I should say the bulk of them do.

1277. Have you any reason to suppose that if any change was made by Parliament, the law would not be equally well observed?—I think the police would have more difficulty than they have at present; if any change were made many beerhouse keepers and licensed victuallers would attempt to evade the law.

1278. *Chairman*.] Are there many cases of selling liquor in unlicensed houses in Manchester?—We have occasionally cases, but there are not very many.

1279. Mr. *Roebuck*.] Could you tell me the number of the population within the area over which your jurisdiction extends?—According to the last census in 1861, it was about 338,000 within the municipal borough.

1280. You are of opinion, are you not, that the present restrictions, as by law established, do really, in some degree, diminish the amount of drunkenness?—Yes.

1281. And that, so far at least, restriction has been good?—Yes.

1282. Do you think, from your knowledge of the people, that increased restriction would be followed by increased benefit in the shape of prohibiting drunkenness?—I have not a very strong opinion upon that, but I think that it ought to do so.

1283. While it was doing the good of diminishing drunkenness it would, to a certain degree, do evil, by inconveniencing other people, would it not?—There might and might not be inconvenience. A certain class would be inconvenienced, as I said before.

1284. I put the question just now to Major Greig, and I will put it to you. Supposing that I were a good deal younger than I am, and I wished to walk out on a Sunday evening, and that walking out I became thirsty, and was not able

able to obtain in a public-house, as I passed by it, the cause of this law, that refreshment which nature demanded, would not that be an inconvenience?—A temporary one.

1285. But all inconveniences are temporary, are they not?—No; some of them may be permanent.

1286. A man's life is temporary?—I am speaking, of course, within the limits of the duration of a man's life.

1287. If I were to hit you a thump in the eye, it would be a temporary inconvenience, but it would be an inconvenience still?—I apprehend that you would not like to do it.

1288. I merely put it as an illustration of a temporary inconvenience, which may be a great one. Do not you think that that inconvenience would exist under this present Bill?—I said before there would be a temporary inconvenience, but I do not think that it would be a very serious inconvenience.

1289. Are there not to your knowledge large classes of the community who walk about on the Sunday evening perfectly decent people, who behave themselves perfectly well, and who would like a glass of beer during their walk, or after their walk?—Yes, no doubt, many.

1290. Then to prohibit the sale of beer to that decent class, because there is a certain number of persons who will get drunk, is rather a strange sort of legislation, is it not?—I think that in a short time they would be reconciled to it, and would not care for it.

1291. Do you think that in a short time a man would become reconciled to the fact, that on a Sunday afternoon when he was walking and got a little thirsty he could not get a glass of ale, and by use he would accustom himself not to care about drinking?—Certainly, I do think so; habit is second nature, and I do think so.

1292. That then is the answer which you give me to that question?—Yes.

1293. Hitherto we will say that restriction has been beneficial, and then comes the question how much farther ought we to go. What limit do you think ought to be put to restriction?—I am not prepared to give an answer to that question.

1294. According to the present state of the law I think public-houses are open altogether something like eight hours and a half on the Sunday. How much do you think that a wise legislator would restrict the eight hours and a half, speaking to you as a practical man, and having a great deal to do with the administration of justice?—I am not prepared to give any opinion upon that.

1295. You are not prepared to say that there ought to be further restriction?—I am not, as I said at first.

1296. Mr. *Horsfall*.] Can you tell me the number of public-houses that there are in Manchester?—484.

1297. Do you know the number in Liverpool?—I think I heard Major Greig say 1,942.

1298. Of course the number in Manchester is very much less than in Liverpool?—Yes.

1299. And the drunkenness very much less, according to the statistical returns?—The drunkenness is no doubt less in Manchester than in Liverpool; at the same time statistics are very untrustworthy. I may say that the number of beer-houses in Manchester is considerably greater than the number of public-houses, and greater than it is in Liverpool.

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1300. Are you able to trace the cases of drunkenness to the beer-houses and the public houses as regards the numbers from each?—No.

1301. Is no record kept of that?—There is no record kept of it, because we cannot tell when a person is locked up where he has been getting his drink.

1302. What is the number of beer houses in Manchester?—2,406, whereas in Liverpool Major Greig said there were 800 and odd.

1303. You stated, did you not, that drunkenness had rather been on the increase latterly?—It has very much increased during the last two years.

1304. I understood you to state that in 1862 the number of cases of drunkenness were 3,519, and in 1867, 5,196?—No, I said that the total number of persons in 1862 was 6,527, in 1866 9,244, and in 1867, 11,495.

1305. In reply to the honourable Member for Sheffield I think you said that of course some parties would be put to inconvenience by further restrictions being imposed?—Yes.

1306. Chiefly drunkards, I presume?—Drunkards would, of course, and there may be others who would be inconvenienced, persons of drinking habits.

1307. But the others would be the exception?—Yes.

1308. You would not be in favour, I suppose, of an entire closing of public-houses on the Sunday?—I think not.

1309. What further restriction would you suggest on the present law; you heard the evidence of Major Greig, would you be disposed to concur in the opinion that an hour and a-half in the day and an hour and a half in the evening would be sufficient for public-houses to be open, say from one to half-past two, and half-past eight to 10?—Yes, I think that would be quite sufficient.

1310. Mr. *Hibbert*.] Do you think that it would be desirable to limit it to consumption off the premises, or to allow beer to be consumed on the premises?—I am scarcely prepared to answer that question, for it is doubtful whether it would really decrease the amount of drunkenness, whether it were sold for consumption on or off the premises.

1311. But you think that further restriction upon the present hours, say two or three hours in the day, would decrease drunkenness?—I think it might, and probably would.

1312. Mr. *Bright*.] Have you had any opportunity of ascertaining the public opinion of Manchester with regard to this question. I do not speak of the particular limits of this Bill, but with reference to the propriety of carrying the existing restriction somewhat further?—I have.

1313. What would you say the public opinion in Manchester would indicate with regard to that; would it sanction some further restriction?—The impression that I gather from what I have heard is that the public would sanction it.

1314. Putting out of view the well-off people who can afford to have everything that they want in their own houses, and who I would not consider much in this matter, looking at the persons who live by their weekly wages, and who do not keep a cellar, would you say that the majority of working men and their wives would sanction some further restriction than that which now exists?—My own opinion is that they would;

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I am bound, however, to say that the opinion of my officers is very divided as to the effects of any further restrictions.

1315. Have you any means of ascertaining the views of any of the licensed victuallers and beer-shop keepers themselves?—No, I have not; some few I may have ascertained, but I should not like to give their views as an expression of the feelings generally of the licensed victuallers or beer-house keepers.

1316. Might not the persons who use public-houses on the Sundays, not speaking of travellers, be divided into two classes; those who go there and recklessly get drunk, and those who go for social purposes, and might probably come home after all sober, after conversation on the topics of the day; you would not say that all those who go to public-houses on Sunday are people who go to get drunk, or who do get drunk?—No, certainly not.

1317. Many moderate and temperate people do that, do they not?—Yes, certainly.

1318. Then both those classes you would include in the one class that would be in a certain degree inconvenienced by further restriction?—Yes.

1319. But taking them together, do the persons who sit in public-houses on the Sunday form a very numerous class in Manchester?—The number is large; there are a good many country people who come in and make use of those houses in the evening.

1320. But excluding those who attend the public-houses, your opinion is, that the great majority of the rest of the public would be disposed to sanction some further restrictions with regard to the sale of intoxicating liquors on Sunday?—I think so.

1321. With regard to the precise restriction, I understand that you would not either express your own opinion or express theirs?—Exactly so; that is my meaning.

1322. I asked a question of Major Grieg with regard to the opinion of the women; some of them unhappily I presume go to public-houses on Sunday, but speaking of the wives and the women of the families of the working men, do you suppose that there could be any more than one opinion with regard to the advisableness of some further restriction; would they approve of it, and would they consider it to be in their interest?—I think they would.

1323. With regard to the licensed victuallers and the beerhouse keepers themselves, are you able to express any opinion from your observation as to the interest which they have in this question, a pecuniary interest in keeping their houses open, and a moral interest in having their houses closed, have you ever formed any opinion with regard to that?—There are many licensed victuallers and beerhouse keepers too who, no doubt, look to pecuniary benefit, and consequently keep their houses open and do obtain a great deal of custom on the Sunday; I am not prepared to say whether they consider the moral aspect of the question.

1324. Among the public-houses and beer-houses in Manchester that you observe and know anything of, must there not be a very large number of them whose receipts on Sunday are very small, and to whom, therefore, the closing under this Bill or closing all together would be a very small matter?—Yes, I think so; there are

many of that sort; the numbers that are open and frequented to a great extent are small.

1325. Are there any in Manchester, either public-houses or beerhouses, which are closed by the voluntary action, or I might almost say the good sense, of their occupiers?—There are some.

1326. Do you know at all how many?—I do not know the number, but I believe it to be small; perhaps thirty or forty altogether; I have not a precise return of the number.

1327. Have you had any conversation with them on the subject of further restriction to enable you to say whether if it were general over all the public-houses and beerhouses they would be satisfied with some further restriction?—I have not.

1328. Mr. Evans.] Can you tell me whether in your opinion and your experience much drunkenness takes place during the last hour on which public-houses are open on the Sunday; that is to say, between 10 and 11 on Sunday night?—I think there is more during the later hours than during the earlier hours.

1329. Major Greig said that in his opinion in Liverpool more drunkenness took place during that hour than during the rest of the day?—I understood him to answer the question with reference to Saturday night.

1330. However, you would say that on the whole more drunkenness takes place late than early?—Yes, I think so. It is a natural consequence; those who do get drunk go in, and they add glass after glass till they get drunk, and they come out drunk later on.

1331. Do you think it is likely that a good effect might be produced so far as preventing drunkenness was concerned, if the public-houses were closed one hour earlier on Sunday, other things remaining the same?—I do.

1332. Are there many persons in Manchester who are in the habit of taking all their meals, or any of their meals at public-houses?—Very few. I am not aware of any.

1333. Are there many persons in Manchester who live in lodgings?—Yes, a great many.

1334. Where do they take their meals?—At their own homes; at their lodgings.

1335. You think there are very few who take any of their meals at public-houses?—Very few.

1336. Are there many excursion trains that leave Manchester for different parts of the country on Sundays?—I believe there are some.

1337. Do you know whether the persons who make use of those trains are in the habit of coming back late in the evening?—Yes.

1338. I suppose if that is the case, probably many of them might wish to get refreshment on their return?—Yes.

1339. Supposing the public-houses were closed on Sunday evening at 10 instead of 11, would many persons who have made use of excursion trains in order to spend the day out of Manchester, be prevented from getting refreshment when they came back, or would the trains, generally speaking, bring them back sufficiently soon to enable them to obtain that refreshment?—I think the trains would bring them back sufficiently early.

1340. You think, in fact, that the trains would, generally speaking, bring them back before 10 o'clock at night?—I think so.

1341. I understood you to say that drunken-

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ness had increased during the last two years in Manchester; can you give any reason for that increase?—No, I cannot.

1342. Among those persons who are brought under your notice as being drunk or charged with drunkenness, what proportion do the women bear to the men?—About one-fourth.

1343. Are there three men charged with drunkenness for every woman on the average?—Yes.

1344. Do you think that the proportion of drunkenness among women has increased as compared with men of late years. I mean, do you think that of the whole of the persons taken up for drunkenness, a larger proportion are now women than was the case sometime ago?—The proportion seems to have been much the same.

1345. Can you tell me whether the women who are charged with drunkenness, generally speaking, drink at home, or in public-houses, or beer-houses?—I should say the majority of them at public-houses and beerhouses, vaults, and such places.

1346. Mr. *Bright*.] With regard to the increase of drunkenness, is it not the fact that during the last two years the employment and means of the people have been very much better than they were for three or four years before in Manchester?—Yes, they have been; but I am not prepared to say that that has had the effect of increasing the amount of drunkenness. During the cotton famine, when a great many were out of employment, drunkenness increased considerably.

1347. Mr. *Evans*.] Has the population of Manchester increased considerably since the census of 1861?—I think not much; it is very difficult indeed to estimate the population of Manchester.

1348. Mr. *John Abel Smith*.] Do you know at all what the operation of Mr. Wilson Patten's Act in 1854 was on drunkenness in Manchester?—No, I do not, for I was not in Manchester at the time; and I have failed to observe any difference in the statistics as bearing upon drunkenness.

1349. What year did you go to Manchester?—In the early part of 1857.

1350. Then probably you do not know what the effect of the repeal in 1855 of Mr. Wilson Patten's Act was?—No, I do not; not from my own knowledge, nor from the returns.

1351. Have you any knowledge of the wishes, opinions, and feelings of the working men of Manchester with regard to further restriction?—Not such knowledge as I could speak upon.

1352. Do you believe that there are people who would hail with pleasure greater restrictions?—There are many, no doubt.

1353. Why would they do so?—Many because the temptation would not be put in their way.

1354. Do young men and young women frequent public-houses largely on Sunday?—Yes.

1355. Would that be a motive with the parents for wishing for more restriction?—Undoubtedly it would.

1356. Do you know whether there has been any inquiry at Manchester from house to house to ascertain the feeling of the people upon that subject?—I believe there has, but I am not acquainted with the particulars.

1357. You are not prepared, as I understand you, to give an opinion as to the propriety of

further restrictions beyond the existing law?—I am not.

1358. But you think that the present law has acted beneficially in restraining drunkenness?—I believe so.

1359. But you do not think, as I understand you, that further restriction would produce an amount of public inconvenience that would excite any disturbance?—I do not think it would.

1360. You think, do you not, that past restrictions have had the effect of limiting drunkenness?—I can scarcely answer that question, because there has been no alteration in the law with regard to Sunday closing within my experience; nor can I find any statistics that bear upon the question.

1361. There was an alteration of the law in 1864; has that been called into operation at Manchester?—It has.

1362. How has it acted?—It does not appear to have diminished the drunkenness, but it certainly has had a good effect upon the appearance of the town, inasmuch as now between one and four o'clock in the morning, the public thoroughfares which were frequented by persons of the worst classes, are now very much clearer, and the appearance of the town generally is very much better.

1363. Mr. *Roebuck*.] The streets have in fact become safer between those hours?—Yes.

1364. Mr. *John Abel Smith*.] You have not considered the question of applying those restrictions further; that is to say, limiting still more the number of hours during which public-houses may be open?—No, I have not considered that question.

1365. Mr. *Hibbert*.] With respect to the statistics which you gave, you stated that in the year 1867 the average number of cases of drunkenness on Sunday, was 21·78, and the average on other days was 33·21. In making those returns, do you mean that to show that the number of cases of Sunday drunkenness is less than on other days?—Yes, I do.

1366. Have you looked at it in this light, that on Sunday the public-houses are only open 8½ hours, and on other days they are open 20 hours?—I have looked at it in that light, but I have not considered it in preparing these figures.

1367. But would not it be the case that, if we are to take the matter in that light, it would show that really a greater number of cases of drunkenness in proportion to the number of hours occur on Sunday than on any of the week days?—I believe it would.

1368. A very large proportion?—Yes; I believe it would.

1369. When do the greatest number of drunken cases occur?—At night and in the evening.

1370. The houses were open on Sunday for eight hours and a half; that is, from half-past twelve or one to three o'clock in the afternoon, and from five o'clock to eleven o'clock at night; and for that number of hours you have 21 cases?—Yes.

1371. On the other hand, the houses are allowed by law to be open altogether, with the exception of the four hours when they are closed under Sir George Grey's Act; that is, 20 hours; and on those days there are 33 cases?—Yes.

1372. Supposing you take the proportion of the number of hours open on the Sunday, it shows a much greater proportion of cases for the

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number of hours open on Sunday than you have for the number of hours open on other days?—It would show a greater proportion, no doubt, if you compare the 20 hours on a week day, and the 33 persons on that day, and the eight hours and 21 persons for the Sunday. It certainly would show a greater proportion.

1373. Then the statistics may be put in a fallacious manner. Supposing a person were to say there were 21 cases on a Sunday, and 33 cases on other days?—I scarcely agree with that opinion, because if the houses were open on a Sunday morning for three or four hours longer, it might not increase the number of drunken cases.

1374. But to look at the statistics, at first sight you would say the average on Sunday is less than the average on other days—Yes.

1375. But is not that accounted for by the houses being open a less number of hours on the Sunday than they are on the week days?—I do not know.

1376. With respect to Sir George Grey's Act, which has been applied in Manchester, that has had a very good effect, has it not?—Yes.

1377. That has been adopted by the town council?—Yes.

1378. Do you think that any similar principle could be applied with respect to Sunday closing, allowing town councils to adopt not only the plan of closing on Sunday, either a limited number of hours or a total closing?—I have not considered the subject of leaving it to the town council.

1379. Did the town council have the matter before them for consideration any great length of time before they adapted the Act of Sir George Grey's?—No; it was done in a very short time; I think within a very few months of the passing of the Act; and I believe it was unanimous, or very nearly so.

1380. You say that 30 or 40 publicans close on Sunday in Manchester; do you think that if the publicans had the chance of taking licenses for six days, and having an advantage given them in the amount which they paid for the license, any great number would be inclined to close on the Sunday?—I think so.

1381. Do you think it might be an advantage to the Excise to grant six days' licenses?—I do not know about its being an advantage.

1382. Would you say that a great number of people would be induced to take advantage of them?—Yes, I do think so.

1383. Have the police instructions, with respect to drunken cases, been the same from the year 1862 to the year 1867, during which your statistics exist?—They have.

1384. Mr *Locke*.] You stated that there were a good many country people who came into Manchester on a Sunday; for what object do they come in?—I cannot say.

1385. Is there any amusement in Manchester on Sunday?—Some public-houses and beerhouses have music on the Sunday.

1386. What sort of music is it; is it the same as on the Chain Pier at Brighton, sacred music?—No; there may be some sacred music; but what I have myself listened to has not been sacred music.

1387. Those places are open on the Sunday?—Yes.

1388. Is there no music outside the public-house on Sunday; no band to play anywhere?—No, I think not; not that I am aware of.

1389. The amusement is left to the publicans entirely?—I believe so, as far as my knowledge goes.

1390. Mr. *Roebuck*.] Is there music in the licensed victuallers' public-houses, as distinguished from the beerhouses?—Yes, in some of them.

1391. Is that ever taken notice of by the magistrates?—The magistrates have no power to deal with them.

1392. They would have power to refuse the license, would they not?—Of course they have power to refuse the license, but there is no music license.

1393. Mr. *Locke*.] Even if they had a music and dancing license, or a music license, which is under a special Act of Parliament, it does not apply to Sunday, does it?—There are no music licenses granted in Manchester at all.

1394. What sort of music is it, a fiddle, or what?—All sorts; organs and pianos as well as fiddles.

1395. It is on that account that people come in from the country?—Some of them.

1396. You say that a good many country people come in; they would be inconvenienced if the public-houses were closed, and that would be put an end to entirely, would it not?—It might be put an end to, but I do not know that they would be inconvenienced by it.

1397. Why do they come; I suppose they come because they like it?—Possibly, but they might convey themselves elsewhere; they might do something elsewhere which would do just as well.

1398. Colonel *Fane*.] There is no other amusement in Manchester, is there?—No.

1399. Mr. *Locke*.] There is now a class of people who come in for that purpose, and that would be entirely stopped; have you looked to this Bill with reference to the fact that in the country the public-houses are to be shut up entirely on the Sunday, and not open at all for the purpose of selling wine, spirits, or beer, to be consumed in the house; are you aware of that?—I am.

1400. There is no relaxation whatever?—Precisely so.

1401. Do you think that right, or that it would work well?—I do not know that my opinion would be worth much upon that question, for my office is a borough office; and that question has reference more particularly to the country.

1402. I mean in Manchester as opposed to the metropolis; the clause says that, as respects the sale of liquors when sold for consumption off the premises, there are certain hours during which that may be done, but with respect to the consumption of liquors where sold for consumption on the premises, the restriction is to apply to the whole of the said days; that is, Sunday, Christmas-day, and Good Friday; do you think that it would be beneficial to pass a law of that description?—I have already answered a question similar to that, I believe, and said that I am not prepared to give an opinion as to whether it would be right to shut them up altogether, or not.

1403. You have not considered the question?—I have considered it, but I have found it very difficult to arrive at an opinion upon it.

1404. What caused your difficulty?—The fact that there seemed to be such a variety of opinions upon it. As I stated before, my own officers, whom

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whom I have consulted on the subject, are very equally divided in their opinion.

1405. What do they ground their opinions upon?—It is very difficult to say.

1406. What reason do those persons give who say that it would not be a beneficial thing to adopt this Bill and pass it into an Act?—One of their opinions is that it would lead to drinking in private.

1407. By drinking in private, do they mean persons merely in their own houses alone drinking to excess in private, or persons congregating together to any number, and drinking in a private place?—I do not think it could refer so much to persons drinking in their own houses, but to evasions of the law, by a number of persons collecting together and getting a quantity of spirits or beer into houses, and so drinking it.

1408. Do you know any instances of persons doing that now?—I do.

1409. Can you mention whether or not those instances are to any great extent in number?—Not to any very great extent, but there are some; we have had cases of it.

1410. Will you be kind enough to describe what number of persons congregate in such unlicensed places?—They vary from 15 to 50, I should think.

1411. What do they drink?—Principally beer.

1412. They do that at the present time, although there are licensed houses for them to go to?—Yes.

1413. And you are of opinion that that practice would be very much increased, supposing they had no other place to go to?—It would be increased, but I do not know that it would be increased to any great extent.

1414. Mr. Roebuck.] Referring to those cases which you speak of, under your own knowledge, they drink within the prohibited hours?—Yes, of course; there is no occasion for them to drink in that way when the houses are open; it is on the Sunday morning principally.

1415. Mr. Locke.] If this Bill were to pass, all the hours would be prohibited, would they not?—Yes.

1416. The fashionable time for drinking is more the afternoon than the morning, is it not, or is it all day long in Manchester?—The time when most drink is taken certainly is in the afternoon and evening.

1417. If all the public-houses were entirely closed in the afternoon and evening, do you not think that the number of those illicit houses with no licenses whatever, and where persons congregate in this manner, would be very greatly increased?—Not to any very great extent.

1418. Seeing that there are those houses already, and that persons go to them during the morning when the public-houses are closed; if they were closed altogether would not these persons require more accommodation of that description than they have now?—No, I do not think they would, for the persons who carry on this practice are, generally speaking, a very low class, and I do not think that the number would be increased very much by those restrictions.

1419. Do not you think that persons of a better class than those persons who you say are of a very low class, who resort to this mode of satisfying their desire, might be led into acting in the same way if they had no accommodation what-

ever at the public-house?—Not to any very great extent; I have a higher opinion of them.

1420. You think that they would do so to some extent?—They might.

1421. You stated, did you not, that during the cotton famine drunkenness increased?—There was an increase of drunkenness at that time.

1422. What was the precise date of that?—One thousand eight hundred and sixty-two.

1423. Do you find that persons who are in very bad circumstances often take to drinking?—It is not that so much; it really was their reduced condition, in consequence of their want of food, I think, that accounted for it.

1424. You stated, did you not, in answer to the Honourable Member for Chichester, that the present law had acted beneficially?—I believe it has.

1425. When you say the present law, what particular enactment do you allude to?—The law as regards Sunday has been in operation for a considerable time, that is to say, there has been no opening of houses for drinking on Sunday morning for many years; and even before that time, in Manchester, our own Police Act required that the houses should be closed to 12 o'clock on Sunday; that was in 1844.

1426. You believe that to have been beneficial?—I believe it to have been beneficial.

1427. Is it what you allude to when you speak of the present Act acting beneficially, that there should be no drinking on Sunday allowed until after half-past 12 or 1 o'clock?—Yes.

1428. And do you think that the restrictions of the hours in the afternoon, after that, have acted in a particular way which is beneficial?—I look at it perhaps more in this light, that if the restrictions which exist at the present time were withdrawn, there would be an increase of drunkenness.

1429. I am speaking of the afternoon, for instance; now, from one to three the public-houses are open, they are closed from three to five, and they are open again from five to eleven; would you see any benefit in closing them any further?—I have answered that question, I believe, and said that I am not prepared to give an opinion upon it.

1430. But you were saying, were you not, that if those restrictions were taken off, drunkenness would increase?—I did not say that; I said I thought it very probable that it would.

1431. It is important to have the houses closed until after one o'clock, but do you think that after one, it is important; for instance, do you think it important to have the houses closed from three to five?—Looking at it as a Sunday question, I think that it is important. I think that the Legislature has defined the hours during Divine service, and for that reason I believe that it is important.

1432. Upon that ground then you think that they ought to be closed?—Yes, certainly.

1433. With respect to any other hours, do you see any benefit?—I think that we may carry it further, and say that, as a Sunday question, in towns particularly, there is just the same reason why they should be closed until after Divine service on Sunday evening.

1434. But that has never been recognised as a service, from seven till nine?—Apparently not; whereas, in the country, service is performed in

Captain W. H. Palin. the afternoon; in towns it is invariably in the evening.

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1435. To a person who does not go to all those three services, it might be an inconvenience, might it not?—I do not know what three services you allude to.

1436. The morning, afternoon, and evening. A man might be dining during one of those services, and might want his beer from the public-house?—He may; that is possible.

1437. Mr. Bright.] With regard to what you call excursion trains on Sunday from Manchester, are you quite sure that there are any excursion trains on Sunday from Manchester?—I do not speak positively. I am under the impression that there are some in summer to Southport and Blackpool.

1438. There are regular trains of course from Manchester to the neighbouring towns and back, but excursion trains, I think, are not common?—I may be wrong in that; perhaps the ordinary trains are taken advantage of by excursionists.

JOHN JACKSON, Esq., called in; and Examined.

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1444. *Chairman.*] Are you Chief Constable of Sheffield?—I am.

1445. How long have you been so?—Nearly 10 years.

1446. Before that what were you?—I was chief constable of Oldham for nearly 10 years.

1447. Have you had experience of the working of the liquor law?—Yes.

1448. Do you understand what is proposed in the present bill?—I believe so.

1449. You understand that it is proposed to close the public-houses entirely (I am speaking of places not in the metropolis) for the sale of liquor to be consumed on the premises; and that for the sale of liquor to be consumed off the premises the public-houses should only be open between one and half-past two, and between eight and ten at night?—Yes.

1450. In Sheffield is drunkenness on the increase or not?—It is on the decrease.

1451. Have you any figures to show that it is so?—I have figures for the last 20 years, showing during the last 10 years the offences committed on Sundays.

1452. Will you state the general result of them to the Committee for the last 10 years?—In 1858, 881 persons were apprehended during the year for drunkenness, and 92 only on Sundays, namely, 78 men and 14 women. In 1859, 1,009 were proceeded against for drunkenness, 139 being on Sundays, that is to say, 116 men and 23 women. In 1860 there were 875 cases, 144 on Sundays, 126 men and 18 women. In 1861 there were 965 cases, and 183 on Sundays. In 1862 there were 794 cases, 164 being on Sundays. In 1863 there were 1,109 cases, 180 being on Sundays. In 1864 there were 952 cases, 151 being on Sundays. In 1865, there were 1,113, 184 being on Sundays. In 1866 there were 931 cases, 130 being on Sundays; and in 1867 there were 863 cases, 110 being on Sundays.

1453. Mr. Roebuck.] During these 10 years can you tell us the increase of the population of Sheffield?—Over 50,000. I can also give the proportion of persons proceeded against for drunkenness to the population during the same years, if you wish it.

1439. Have you been in the Victoria Station in Manchester on Saturday evening?—Yes.

1440. And perhaps occasionally in the railway stations of the neighbouring towns?—Not often.

1441. There is a good deal of travelling on Sunday by the few trains that run, is there not?—Yes, a good deal.

1442-3. But would you say that those passengers who come to Manchester, are passengers who come to Manchester for the purpose of seeking some places of amusement, or rather that they are those who live in the neighbouring towns, and who take advantage of the Sunday to go and visit their friends in Manchester and the different towns?—Yes, certainly there are many who come there to visit their friends; when I speak of those who come from the country as going to public-houses on Sunday, I do not mean that all or even any considerable number of them go to those houses. Generally it is local travelling, the visiting of families, relations, and friends.

1454. *Chairman.*] Will you put in that return?—Yes. (*The Witness delivered in the same, vide Appendix.*)

1455. That will show, generally, a diminution in drunkenness according to the number of the population?—Yes; in 1852 one in every 87 of the population was proceeded against for drunkenness, and in 1867 one in every 254.9.

1456. To what do you attribute that remarkable diminution?—To a certain extent, to the improved habits of the people, and, perhaps even to a greater extent, to the difference in the state of trade. During the year 1852 trade was unusually good in Sheffield, and during last year it was not so.

1457. In the last few years you would not say that trade had been uniformly dull in Sheffield, would you?—No, not uniformly dull.

1458. But trade has not been so frequently dull as to account for the diminution of drunkenness, owing to the inability of the people to find money to spend on their luxuries?—No; I said it was partly owing to the difference in the state of trade, and partly owing to the improved habits of the people.

1459. But I gather from you that drunkenness has been steadily decreasing, and therefore it would not be correct, would it, to say that that is owing to the state of trade, because trade has not been steadily deteriorating all that time?—No, I do not say so; I say that through the improved habits of the people gross drunkenness does not exist to anything like the same extent that it did 15 or 20 years ago.

1460. Do you think that the restrictions proposed in this Bill could be carried out without causing much inconvenience to the people of Sheffield?—I think not.

1461. Do you think that they would feel the prohibition to drinking in the public-houses, during the whole of Sunday, as a hardship?—A very large number would.

1462. Is the habit of a great proportion of the respectable working people of Sheffield to spend some portion of the Sunday afternoon in public-houses?—A large number do. I am not prepared to say that a larger proportion of the people,

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people, in Sheffield, go into public-houses on Sundays, than of the population of other towns.

1463. From your knowledge of the habits of the people, is it the habit of a great number of the people of Sheffield to visit public-houses for the sake of refreshment at some time in the course of Sunday.

1464. Undoubtedly. If they were prohibited from doing so it would make a great change in their habits?—It would.

1465. Do you think that they would submit to such restriction cheerfully?—I think not.

1466. I am asking you these questions, with regard to what I understood you to say, was the practice of a great number of people in Sheffield, namely, to visit the public-houses and take their refreshment there at some period of the day on Sunday; if the Bill would permit them to buy liquor to take away at certain hours, do you think that that would fairly meet their wants?—I think not.

1467. Do you think that when they became a little used to it, they would submit cheerfully to such a change in the law as is proposed?—I scarcely think they would; I do not think that the persons, who now frequent public-houses on Sundays, would quietly submit to it. When I say quietly, I do not know that there would be any rioting, but I think they would do as they did in 1854; they would send such representations to Parliament as would induce Parliament to alter, in the next Session, such an Act of Parliament if it were passed in this Session.

1468. Do you recollect the passing of that Act of 1854, when you were at Oldham?—I do, well.

1469. Was it your experience that there were great complaints against it?—No; that Act allowed them to go into public-houses on Sunday evening, between the hours of six and ten, and although it was a restriction upon what they had been previously used to, so far as Oldham was concerned, they would have quietly, in my opinion, abided by it, and it certainly had the effect of diminishing drunkenness considerably.

1470. The restrictions imposed by the Act of 1854 reduced drunkenness considerably in Oldham, and still did not, in your opinion, greatly interfere with the liberal using of the public-house, at certain hours, if people thought fit?—Just so.

1471. Is it your opinion that if this Bill were to pass that line, it would cause serious inconvenience?—It is my opinion.

1472. Mr. John Abel Smith.] Have you any return as to the working of the Act of 1854 in Oldham?—I have none by me; I was summoned here to give evidence before the Committee that was then sitting, and had with me those returns, but the Committee closed their labours the day before I was to be examined, and those returns were never put in evidence, and I have not them by me here.

1473. Can you put them in, do you think?—I am not sure that I can.

1474. Chairman.] Have you any idea what is the feeling in the community of Sheffield as to this question, whether any large class of persons desire that the public-houses should be closed for a greater number of hours than they are at present?—Opinion is very much divided. There is no doubt a large class of persons, workmen, who would like to see further restrictions, and there

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is also a large class of workmen who would rather not see them.

1475. There are, you think, a large proportion of the working classes who desire to have greater restrictions?—Yes; I believe so; those being persons who do not now go to public-houses themselves.

1476. But with regard to the classes who do use public-houses, should you say that they would like to be further restricted?—No.

1477. But you do not think that they would object to some further restrictions, provided they were not kept out altogether?—No; I think that the Act of 1854 was a reasonable one.

1478. Can you say that there is one hour of the day, or evening, more than another at which men get drunk?—No; not at which men get drunk; but the hour at which drunkenness is most manifest in the streets, no doubt is the last hour when persons are turned out of the public-houses.

1479. That is the hour at which most cases come under the notice of the police?—Yes.

1480. Do you think that it would make matters much better if that hour arrived a little sooner than it does just now, or would the cases be much the same?—I do not think there would be much difference. It would cause people to get home sooner, and go to bed sooner, and probably on that account they would be more likely to go to their work the next morning.

1481. Do many people in Sheffield resort to the country on Sundays?—Yes; large numbers.

1482. Has that practice increased much in your recollection?—No, I do not think it has much increased.

1483. Mr. Bright.] People do do so?—Yes; many go to Derbyshire and Nottinghamshire, to Worksop, and the neighbourhood of Wharnccliffe, and so on.

1484. Chairman.] I ask whether the practice has much increased?—I do not think it has; I do not know that it is either much more or much less.

1485. Mr. Roebuck.] We have heard from many witnesses that in certain towns drunkenness has increased, and in certain others decreased; I think you say that it has decreased very materially in Sheffield?—It has.

1486. Can you tell me whether it has decreased amongst the women?—I am sorry to say that, taking those brought before the magistrates, I should say not; the decrease amongst women does not bear the same proportion that it does amongst men.

1487. There has been evidence given to the Committee about London, to the effect that although there has been a general decrease of drunkenness, there has been an increase of drunkenness amongst the women; do you think that that is true of Sheffield?—Yes; but the increase is not large.

1488. Have you any idea, or rather any statistics, which would tell us the number of persons who go out by excursion trains on the Sunday throughout the summer months?—That I could not tell you; but a very large number go, not by excursion trains, Sheffield being surrounded by very beautiful scenery; a large number of working people walk, getting out four or five miles into the country.

1489. Those people who walk, I suppose, would
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require a glass of ale on their walk?—Many would prefer to have it, no doubt.

1490. Would it not be an inconvenience, and something more than an inconvenience, if you were to prevent those persons from taking a very sober glass of beer?—Yes.

1491. If this Bill would do that, would not it be a thing very much discussed by that class of people who take those sort of excursions?—There is no doubt about it.

1492. The classes who take that sort of excursion are very decent and respectable people, are they not?—Very.

1493. Therefore, upon the whole, I may take it as your view of the public opinion of Sheffield, that there is a great division of opinion?—A very great division of opinion.

1494. But that the classes of whom it is now the custom to take a glass of beer at the ale-house would wholly object to this Bill?—I think so.

1495. Mr. *Horsfall*.] I apprehend that those classes to which the honourable Member for Sheffield has alluded, are a very small minority with respect to the whole population of Sheffield?—Undoubtedly.

1496. You stated that there was no objection taken in Oldham to the Act of 1854; you have not heard any objection to it probably in Sheffield since you were there?—No, I have not heard since I went to Sheffield any objection to it.

1497. And although you think there would exception be taken to the Bill of the honourable Member for Chichester, do you think there would be any objection taken to shortening the hours on the Sunday during which the houses are open?—Some, doubtless, would object to it; but I think it would not only be a minority, but that the minority would be small.

1498. What is your opinion as to the desirableness of shortening the hours of public-houses being open on Sunday?—I always was in favour of the Act of 1854, and am so still.

1499. You would, perhaps, be not indisposed to go a little further?—Personally, perhaps, I should not; but I do not think that the population of Sheffield would quietly submit to go further.

1500. Do you think that the majority would object to an hour and a-half in the morning and an hour and a-half in the evening, for liquors to be drunk on the premises?—I think they would object.

1501. Either in the one case or the other?—I think so.

1502. Mr. *John Abel Smith*.] You think that that would not be sufficient?—I think not. I think an hour and a half, to be drunk on the premises would be scarcely practicable; you would scarcely be able to get people out at the closing time in the evening if they were only open for an hour and a-half; many persons go in, say, half-an-hour before closing-time.

1503. Mr. *Bright*.] Practically, it would be a great discouragement to drinking on the premises, would it not?—It would.

1504. So far as the licensed victuallers and beershop-keepers go, they might think it was hardly worth having their premises open for so short a time?—I think that many would not open for so short a time.

1505. That, on the whole, you would consider rather an advantage than otherwise, would you

not?—If it tended to diminish drunkenness, I should so consider it.

1506. Looking to the general view, and not pretending that legislation should go in advance of public opinion, but looking to the general opinion, in Sheffield, of all classes, and looking specially to the opinion of the working classes, do you think they would receive some further restriction, not excessive, with general approbation, or, at least, with so much approbation as would quite justify the law?—I think so; perhaps to the extent that I have mentioned; I do not think beyond it.

1507. Still, if the Sheffield people are becoming, by their own good sense, and their improved habits, so much more temperate; that is to say, those who were intemperate are becoming much more temperate, and, from your returns, the intemperate class is less, do you think there would be any difficulty in accommodating some further restrictions to the general view of your town, beyond the restrictions which are now in operation?—I have already said that I think they would submit to the houses being open two hours less in the evening.

1508. That is to say, they are open now from five to eleven on Sundays, and you think that it would be quite judicious to lessen them by an hour at each end, say from six to ten?—I think so.

1509. Mr. *Locke*.] That was the restriction in Colonel Wilson Patten's Act, was it not?—Yes, it was.

1510. Mr. *Evans*.] Are there many persons in Sheffield, of the class you are speaking of who take all or any of their meals at public-houses?—No large number, except those who make public-houses their home.

1511. Are there many persons, especially of the working classes, living in lodgings in Sheffield, who take their meals, or any of their meals, at public-houses?—Very few indeed, except such as lodge in public-houses. There are some who lodge in public-houses and beerhouses.

1512. There are many persons, are there not, who leave Sheffield on Sunday mornings by excursion trains?—They go out of town, certainly, in large numbers; I do not know that they go by excursion trains.

1513. Do that class of people come back late, generally speaking?—No, they are generally back about nine in the evening.

1514. If the public-houses were open till 10 a great number of those people would be able to obtain refreshments after their return?—Such refreshments as they would need; they would get some refreshments before they returned, no doubt, and when they returned also.

1515. Mr. *John Abel Smith*.] Can you give the Committee any description of the working of the Act of 1854 in Sheffield, during the time it was in existence?—No, not being in Sheffield myself, I know nothing of it.

1615. Have you no returns?—I have returns here of persons who were brought before the magistrates during that year and the following years.

1517. You have no return with reference to the period before the Act of 1854 and afterwards?—Except for whole years.

1518. What do they give you?—In 1853, 1,433 were brought before the magistrates for drunkenness. I can only go back, with regard to Sunday offences, to the date of my appointment

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1549. Supposing that in another place as important as Sheffield, namely, London, you had
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trains coming in at 10, would not it be inconvenient to close the public-houses at 10 instead of 11, as far as London is concerned?—If a large number of people were coming in at that hour, no doubt it would.

1550. Assuming that there are a large number of persons coming in by excursion trains on Sunday, would it be advantageous to revert to Mr. Wilson Patten's Act, and close the public-houses at 10 on Sunday instead of 11?—At that time the annoyance was so great that Parliament was induced to alter it, and I think it is probable that they would do the same again.

1551. Was not it a very great grievance in the metropolis?—That is what I understand.

1552. People came up by excursion trains that arrived at 10, and then they besieged all the public-houses to get refreshments; but they were closed to them, as nobody could open?—I know very little about London. I speak only from what I have been told.

1553. There was a universal opinion against it, was there not at the time?—I do not know as to its being universal; I heard it stated frequently.

1554. And you have not forgotten it?—I have not forgotten it.

1555. and there is no reason why you should?—No, I do not know that there is.

1556. You have spoken of those respectable working people who have complete control over themselves, and who if they see liquor, they will not drink, if they do not think it will do them some good; do you think that they are particularly anxious that this Bill should pass?—No, I do not think they are; so far as they are themselves concerned, it is not likely.

1556*. Of course in the case of a person who has control over himself, it is not important to him whether or not this Bill should pass; but it would be inconvenient to him if he wanted to drink some beer, as my friend the Honourable Member for Sheffield has said, on some occasion when he is walking out; do you include that respectable class of people who can restrain themselves amongst those who are anxious for this legislation?—No, I do not class those amongst them; certainly not.

1557. Who are the poor persons who are anxious for the legislation; I presume they include the teetotallers?—No, there are a very large number of very well-disposed persons who are not teetotallers, who are anxious to suppress drunkenness, not because they would be likely to get drunk themselves.

1558. That is so, I know; but the teetotallers are in favour of restriction, are they not?—No doubt of it.

1559. In addition to the teetotallers, are there not likewise a great number of persons who are anxious to suppress drunkenness, and who think that drunkenness can be suppressed by prohibiting public-houses from being open, who are in favour of closing the public-houses altogether, not only Sunday, but week days and at all times?—I do not know about that; I never met a person who was not a teetotaller who would wish to see the public-houses closed both Sundays and week-days; I never had conversations with any men who wished to close the public-houses altogether.

1560. You never met a person of that description who went so far, unless he was a teetotaller, as to say that he would close the public-houses on Sundays and all the days in the week?—I never

did; indeed, I never met a person calling himself a teetotaller who went to that extent in speaking to me.

1561. But with regard to that class of people that you have met who are anxious to close the public-houses, during what time are they anxious to close them; is it merely restricted to Sunday, or do they go in for other days of the week likewise?—I think it is Sundays only; I have had no conversation with any one as to closing on the other days of the week.

1562. Then that raises the religious question that the public-houses ought to be closed entirely on Sunday, because Sunday ought not to be desecrated; are there a great number of persons who entertain that view?—No doubt of it.

1563. Are those principally the persons who are very anxious for the Sunday closing?—There are others of the class which I have already described; persons who would not get drunk themselves, but who, knowing that others do get drunk, would like to see restrictions imposed upon those who are not able to keep themselves sober, supposing the opportunities of getting drunk was always presented to them.

1564. They would close the public-houses because there are a certain number of persons who cannot restrain themselves, and who would get into trouble in consequence of going into the public-houses and ruin themselves; and without reference to the other persons who can restrain themselves, and want in a reasonable manner to use those public-houses, they would deprive them of all their advantages for the sake of protecting a set of drunken people against themselves?—They would consider, I think, that four hours on Sunday evening did give them a reasonable opportunity of getting drink if they wished it.

1565. I am not speaking of four hours, but I am speaking of persons who are in favour of this Bill?—You are speaking of persons with whom I have had conversations, and having had no conversation with persons who are in favour of this Bill, I can give you no account of them.

1566. You have had no conversations with persons who are in favour of this Bill; are you against it yourself?—I think it impracticable.

1567. Mr. John Abel Smith.] From your books at Sheffield, can you put in an account of the number of offences in the six months before Mr. Wilson Patten's Act came into operation, and in the six months subsequently?—I could give the numbers, but I could not distinguish Sundays from other days in the week.

1568. In the number of offences which we have heard to day alluded to, are the refused charges included?—It is my practice, if a man is brought into the office on a charge of drunkenness, though the inspector might not lock him up for drunkenness, to summon him before the magistrates, so that every case would come in this list. I have given you an account of all those who were proceeded against before the magistrates, no matter whether they were apprehended at once, or were summoned to appear some other day, and the refused cases for drunkenness are included, unless a case is refused as being wholly untenable. Supposing the inspector were of opinion that the constable had no right to have brought the prisoner in, that the man was not in such a state of intoxication as would justify his apprehension or his interference with him in any way, that would not be put in.

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1569. I understand you from your answer to Mr. Locke, to be in favour of further restriction than that now existing; but that you are against carrying restriction as far as proposed in this Bill?—Yes; I do not think that the country would submit to it, as far as I am able to judge of it.

1570. Are you in favour of restriction as to the hours, beyond that which now exists?—Yes; I think that Mr. Wilson Patten's Act was right, and that it should have been allowed to remain.

1571. Mr. *Evans.*] Has drunkenness decreased in Sheffield?—It has diminished considerably.

1572. Has the population increased or diminished?—It has increased very considerably.

1573. In fact the decrease of drunkenness, considering the increase of population, would be very considerable?—I have handed in statistics for 20 years, which show that in 1848, 1 in every 120·3 was proceeded against, whereas last year the number was 1 in every 254·9.

1574. When you mentioned the number of public-houses, does that include beer shops?—No, we have a number of beer shops in addition to the public-houses; 833 licensed to consume upon the premises, and 191 to consume off the premises.

Friday, 1st May 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. Evans.
Sir James Fergusson.
Mr. Hibbert.
Mr. Horsfall.

Mr. Locke.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

Mr. GEORGE GLOSSOP, called in; and Examined.

Mr. G. Glossop. 1575. *Chairman.*] You are Chief Constable of Birmingham?—I am.

1 May 1868. 1576. How long have you been so?—Eight years.

1577. Previous to which what position did you occupy?—I was Superintendent of the Detective Force in the same town.

1578. Are you aware of the provisions of the Bill before the Committee?—I am.

1579. Have you given much consideration to the working of the present liquor laws?—Not much, except when it has been brought under my notice.

1580. It has been part of your duty to administer them, has it not?—Yes, to carry out the present laws.

1581. Can you state whether, in Birmingham, cases of drunkenness on Sunday have increased or diminished since you have been Chief Constable?—They have increased.

1582. Can you state that positively in figures, or do you give it as a general result?—I can give it in figures.

1583. Would you give us the general result of the variation in the cases of drunkenness reported as arising on Sundays, and I would ask you also, what hours do they comprise of the Sunday?—After six o'clock on the Sunday morning, until 12 o'clock on Sunday night.

1584. What year do you begin with?—With the year 1854. On the Sundays in 1854, there were 124 charges.

1585. Do you include, in those numbers, what we have been told are called refused cases?—No; those are cases which were actually detained.

1586. Could you say whether the number of those refused cases would be much in excess of that?—There would be a few in addition to those.

1587. Is it your practice, as a rule, to detain persons so brought in?—Unless they were able to go home, we should.

1588. If they are very drunk you always keep them?—Yes, and if they were not we certainly would not interfere with them.

1589. What general instructions do you give your police on that matter?—Not to interfere with persons if they are able to go home.

1590. If they are incapable, what do you do with them?—If they are incapable they would be brought to the station, and detained, and taken before the magistrates.

1591. Consequently, there were not many cases of persons brought to the stations and allowed to go away without coming before the magistrates?—Not very many.

1592. Will you go on, and give us the numbers, through the following years?—The total during the year 1854 was 671, and on Sunday it was 124.

1593. Consequently, there was a greater number of cases of drunkenness on the Sunday, on the average, than on other days of the week?—In that year there was; in 1855, that is the year during the operation of the restricted Act, there was a gross total brought in of 585, and on Sunday there were only 63 that year; in 1856 the gross total was 693, and on the Sunday 87; that is the first year since the passing of the present Act; in 1857 the gross total was 817; in 1858, 872; in 1859, 1,213; in 1860, 1,256; in 1861, 1,186; in 1862, 1,266; in 1863, 1,281; in 1864, 1,373; in 1865, 1,706; in 1866, 1,357; and in 1867, 1,330; those are the gross totals.

1594. Mr. Hibbert.] Have you any returns for the Sundays in any of those years?—Yes; in 1852, 1857, 1862, and 1867; in 1852 on the Sundays the number was 131; in 1857, 107; in 1862, 192; and in 1867, 174.

1595. *Chairman.*] What has been the increase in the population of Birmingham in the corresponding years?—I have not got that.

1596. Generally speaking it has very largely increased?—It has.

1597. Mr. John Abel Smith.] What do you consider approximately to be the present population of Birmingham?—Three hundred and fifty thousand.

1598. Mr. Horsfall.] What was it at the census of 1861?—About 296,000.

1599. *Chairman.*] Probably it has increased by 100,000 since the year 1854?—Yes.

1600. You would not say that the amount of drunkenness had largely increased according to the population?—It is increased in a stronger proportion, rather than the population; the population has increased, I think, about 30 per. cent. and drunkenness about 35 per. cent.

1601. Mr. Roebuck.] Take the two years, 1866 and 1867; the total in 1866 I think you said was 1,357, and in 1867, 1,330; therefore there is a diminution?—Yes.

1602. *Chairman.*] Do you recollect the working of the Act of 1854, which closed the public-houses during

uring the greater portion of the hours of Sunday?
—Yes.

1603. Do you recollect whether the amount of drunkenness was greatly diminished during the year that that Act was in operation?—It was; I have given you the figures for the year before the passing of the Act, the year of the Act, and the year afterwards.

1604. Was there much complaint of the operation of that Act by the inhabitants of Birmingham?—Yes.

1605. Were those complaints confined to the lower class, or were they pretty general?—It was a pretty general complaint.

1606. Did the respectable inhabitants complain of the inconvenience caused by the Act?—They did.

1607. Do you remember whether there were petitions to Parliament?—There were.

1608. Was there anything like disorder or rioting?—No.

1609. Would it be your opinion that you could diminish drunkenness if similar restrictions were imposed?—No doubt of it.

1610. But on the other hand, if a more stringent law were enacted, as proposed by this Bill, do you think the discontent would be even greater than it was in 1854 and 1855?—I think it would.

1611. Do you think that the public would submit readily to such restriction as would absolutely close public-houses during the whole of Sunday for the consumption of drink on the premises?—All well-disposed persons would be very pleased to see it, but there are a large number of persons who would complain, and would not allow it to pass.

1612. Do you think that all well-disposed persons in the town would be pleased to see it passed?—Yes.

1613. Mr. Roebuck.] By well-disposed persons I suppose you mean persons who do not go to public-houses?—Yes; I mean persons with a home and comforts.

1614. Who have the comforts of home, and do not want the assistance of a public-house?—That is it exactly.

1615. Chairman.] Is it the habit of many of the working classes of Birmingham to use the public-houses as places of meeting on Sunday, without any intention or practice of drinking to excess?—No, I think not.

1616. You think that those who do go and sit in the public-houses are rather apt to exceed?—We have not much drunkenness in Birmingham according to our population.

1617. You appear to have misunderstood my question; is it the practice with many of the working classes to use public-houses as places of meeting without drinking to excess in them?—Yes; they go there in the afternoon.

1618. In fact it is their club-room?—Yes.

1619. Then many such people would object strongly to having them closed during the whole of Sunday?—They would.

1620. You would consider those well-disposed people, would you not; I mean people who use a public-house without abusing it?—They are well-disposed in that sense.

1621. Then you would qualify your statement, would you not, that all the well-disposed persons would like to see them closed?—Yes; I mean the well-to-do people; people who do not frequent public-houses.

1622. That the people who do not use public-

houses would have no objection to see them closed?—Yes, that is so.

1823. Is it your opinion that, short of the restrictions proposed by this Bill, you might impose some restriction that would diminish drunkenness without causing much hardship; for example, might the hours of closing be brought down from 11 at night to 10 at night on Sunday, and extended in the afternoon or evening, so as to diminish drunkenness?—That would be acceptable, no doubt, to the inhabitants, and would diminish drunkenness to a certain extent.

1624. And, of course, would not be so unpopular as going the whole way?—It would not be so obnoxious.

1625. Mr. Roebuck.] Will you be good enough to tell me in what way people complained of the inconvenience of the law of 1854; I think you said that they sent petitions to Parliament?—They did.

1626. Have you any recollection of what those petitions complained of; in what shape they put their grievance?—That they could not get their dinner beer at the time they wished it.

1627. And do you think those petitions were signed only by persons who frequent public-houses?—I cannot recollect; but I should think they were pretty generally signed.

1628. Have you any doubt that many signed them who never entered a public-house on Sunday?—I have no doubt that they did it from sympathy with the working classes.

1629. I think you said that the public-house is the club-room of the artizan?—It is in a great measure.

1630. Are not those club-rooms very decorously conducted?—Very.

1631. And, in your idea, there is no impropriety in allowing them to be used by the artizan on Sunday as a club-room within any of the eight-and-a-half hours, which according to the present law they are allowed, if they please to make use of the public-house on Sunday?—No; but the worst of it is a lot of silly people who cannot resist drink, get tipsy, and create a disturbance.

1632. Silly people go into the public-houses and get drunk?—Yes, they take more than they should do.

1633. Does that happen more with regard to beer-houses than public-houses?—No.

1634. You think there is no difference?—I do not think there is much difference.

1635. You think that the interest of a master of a public-house does not induce him to keep better order than the non-interest of the beer-shop keeper?—He has rather a greater stake in his business, and he feels therefore more interest in that way. Still, the houses of both classes are pretty well conducted.

1636. So that, in fact, you have no great complaint to make of either?—We have not.

1637. Considering that you have no great complaint to make of either, why should you wish to see the law changed?—Simply to benefit people who cannot restrain themselves.

1638. Do you think that the people who cannot restrain themselves would not take other means of getting drunk if they desired to?—I have no doubt they would.

1639. And do you believe that by an Act of Parliament, stringent as this Bill is, you could make a really drunken man a sober man?—For the time being he must be.

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1640. If he cannot get drink of course he would be so; but do you not think that he would find the means of getting drunk?—As soon as he could he would avail himself of it, no doubt.

1641. Are there at the present time any illicit houses in Birmingham?—No.

1642. Has it ever struck you to consider whether or not there would be illicit houses if drink was prohibited entirely on Sunday from being sold in those more respectable places?—I fear there would be in the suburbs; I do not think there would be in the town itself.

1643. The suburbs of Birmingham are very large, are they not?—Very large.

1644. So that the evil would therefore be very large also?—People go out to the picturesque little villages around, and if they were not allowed to get something to drink they would go into the coffee-houses and tea-houses, and get spirits, or something of that sort, illicitly.

1645. Have you ever had your attention called to the working of what is called the Maine Liquor Law in America?—Not particularly.

1646. Have you never heard of any means that have been pursued there to evade that law?—Yes, I have.

1647. Have you never heard of the celebrated striped dog?—I have heard of it.

1648. Do not you think that the striped dog would cross the Atlantic, and come to England if you were to have such a Bill as this passed?—Very likely it would.

1649. Looking at it as a person connected with the administration of justice, and the preservation of the peace, do you think that in the balance of benefit such a Bill as that to which your attention has been called would be beneficial?—That is a very difficult question to answer.

1650. It is a question which the Legislatures are called upon to solve; and we are asking you, being connected as you are with the administration of justice, what is your opinion of the working of such a Bill as that; do you think it would do so much good as to balance the inconvenience that would arise from it?—I fear it is too great a stride at once.

1651. Would you at any time make a stride like that?—If the people were advanced in sobriety to the extent that they have gone now for the last 20 years, they would bear it.

1652. If the people are themselves advancing in sobriety, they do not want a law to compel them to be sober?—They will be asking for it themselves in 20 years, I think.

1653. Do you think that when a man has himself acquired habits of sobriety, he would ask the Legislature to pass a law to keep himself sober?—No, not to keep himself sober, but to keep weak-minded people, who disturbed everybody else.

1654. I thought you said that those weak-minded people have very much decreased of late, and that there has been increased sobriety?—Yes.

1655. Is not that rather opposed to your first statement, in answer to the honourable Chairman, who asked you if you thought drunkenness had increased, and you said, yes?—I said the number had increased.

1656. If the number of drunkards has increased, has not the drunkenness increased?—That would not necessarily follow.

1657. You said just now that people have

acquired more sober habits, and become more amenable to the effect of reason?—That is correct.

1658. How do you reconcile the two things; because they are in direct opposition one to the other?—I cannot reconcile them; you cannot see drunken persons about the streets now as you did, and yet the numbers on our charge sheets are actually on the increase.

1659. If you do not see the number of people in the street, how do you get at them; you do not seize a man that is not in the street, I take it?—We do not.

1660. Then if you do not see the men in the street how do you get them?—I mean that a general observer, walking about, does not observe as much drunkenness about the streets as we did formerly, and yet our numbers have actually increased.

1661. Do not you think that that may be attributable in a certain degree to the increased rigidity with which you enforce the law?—It may even be that.

1662. Do not you think, for example, that experience has made you a more effective officer?—Yes.

1663. Do not you think that that may have led you to take up people whom some years ago you would not have taken up; may not that explain the apparent anomaly?—I think my experience, would teach me to let them alone a little more; I should not interfere so frequently now as I did when I was a young officer, probably.

1664. Although you have acquired that experience, you think, nevertheless, that the number of cases has increased, but yet a person passing along the streets would not see so much drunkenness?—Yes, that is so.

1665. That is a clear statement of the case as put by you?—Yes; I think that although drunkenness has increased the number is confined to a very few persons; they appear and re-appear, and yet they are recorded as a fresh person each time.

1666. Have you not now expressed it thoroughly that the same people get drunk oftener, and appear in the streets oftener, but that the whole population has become much more sober?—That is it exactly.

1667. In that case is not the beneficial effect produced without an extremely stringent law like this?—Yes.

1668. Then why should you have a stringent law like this?—I can only give the same answer as I did just now, that it is to restrain those other people.

1669. But in restraining those other people you put decent people to inconvenience?—That is true.

1670. And therefore it is a balance of benefit and evil; I ask you as a man of experience, do you think that it would be worth while to create so much inconvenience as an Act like this would create, for the very small benefit that would result from it?—I think that is too much.

1671. *Chairman.*] I have asked you whether many working men do not make the public-house their club-room on Sunday afternoon; are there many places of meeting for working men in Birmingham now where they do not have drink at all?—There are.

1672. And are those open on Sunday?—I do not know; I could not answer that.

1673. You cannot say whether any of them are?—I cannot.

1674. Mr.

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1674. Mr. *Roebuck*.] Will you explain what sort of houses those are?—They are coffee-houses and club-rooms where no drink is tolerated; that is to say, no beer or spirits.

1675. And you say that those have increased greatly in Birmingham of late?—Within the last 10 or 15 years they have increased.

1676. Would you not call that a very great improvement in the habits of the people?—Yes, I say that is so.

1677. All that has been done without stringent legislation?—Yes.

1678. Mr. *Locke*.] You cannot say whether they are open on Sunday?—I cannot.

1679. Mr. *Horsfall*.] From the returns that you have laid before the Committee I think it appears that in 1855 there were a fewer number of cases of drunkenness than in any other year before or since?—Yes.

1680. Do you attribute that to the Act of 1854?—Yes.

1681. Then it would be your opinion probably that if that Act were re-enacted there would be fewer cases of drunkenness again?—It would lead one to think so, as it had that effect at that time.

1682. Also from the statements that you have laid before the Committee it appears that there were a greater number of cases of drunkenness in the year 1865 than in any other year; can you account for that?—I cannot account for it.

1683. Was the trade of Birmingham in a particularly flourishing condition at that time?—I do not recollect; I should think it is from the excess of money, because I find that Saturday is the most drunken day; we get more drunken cases in on Saturday than any other day.

1684. I thought you informed the Committee that there were more cases of drunkenness on Sunday?—No, less than on any other day.

1685. *Chairman*.] I thought you said there were more on Sunday than on the average of other days?—In some of the years, but not in all.

1686. Mr. *Horsfall*.] You stated that a considerable number of persons complained of the Act of 1854; what class of persons were they?—I could not recollect.

1687. You stated, I think, before that there were a considerable number of respectable people who complained of that Act?—Yes; a great many.

1688. What class of persons were they?—The ordinary working classes, persons who had to frequent public-houses for their beer.

1689. I think you stated that you could not inform the Committee whether the greater number of cases of drunkenness arose from drinking in beer-houses or in public-houses?—No; I could not state that.

1690. Have you no returns to show that?—No; we have more beer-houses than public-houses, and consequently there is more beer drunk in them.

1691. Can you give respectively the number of public-houses and of beer-houses?—Yes; last year there were 698 licensed houses and 1,300 beer-houses.

1692. Any person can obtain a beer license, can he not, who chooses to go to the Excise?—Yes.

1693. Do you think that a desirable system?—No; it is a very unfortunate system.

1694. Are you able to give any information to

the Committee as to the number of cases of drunkenness among men as compared with women?—No; I have not so divided the cases.

1695. Do you think that drunkenness amongst women is increasing?—It is confined to the few, not as a general rule.

1696. You mean that some parties are brought up over and over again?—Yes.

1697. When you were asked about those club-houses, you said that they were decorously conducted?—I was treating public-houses as club-houses, and they are conducted in an orderly manner.

1698. Of course, there are exceptions, are there not?—There are a few exceptions; but, as a rule, in Birmingham the public-houses and beer-houses are very well conducted.

1699. Are you aware of any publicans who close their houses altogether on Sundays?—Yes, there are some.

1700. Can you give the number to the Committee?—The licensed houses closed altogether on Sunday of their own accord are 27 out of 698, and of beer-houses 46 out of 1,300.

1701. Have you had any communication with the publicans as to the desirableness of either closing altogether on Sunday, or of being more restricted in the hours?—Only a very few.

1702. What was their opinion?—Those I spoke to would be very glad if it could be carried out; but they admit that it is a very difficult question.

1703. Mr. *John Abel Smith*.] You state that you recollect the working of the Act of 1854; were there any public meetings in Birmingham in 1854 against that Act?—There were.

1704. And the petitions presented against the Bill were proposed and carried at those public meetings?—Yes; when you say at those public meetings, they were not public meetings called by the mayor, but by persons who felt themselves aggrieved.

1705. What do you call a public meeting?—A meeting called by the mayor.

1706. What was the character of those public meetings; were they small meetings called in public-houses, or was there any general meeting of the town?—I do not think there was a general meeting of the town; they were small meetings.

1707. Were they parish meetings?—No; they were more like ward meetings.

1708. Do you think that those meetings were general, or were there only one or two, or half-a-dozen?—There were quite half-a-dozen.

1709. You do not think they were general in the town?—There is the working part of the town, and the west-end part of the town; of course this latter part of the town did not call any meetings nor agitate for it at all; but it was amongst the working classes and the industrious classes.

1710. I think I understood you to say that the ground of the dissatisfaction of the working men was, that they could not get their dinner beer?—Yes.

1711. What time do they dine?—One o'clock, generally, in Birmingham.

1712. Do you recollect the provisions of the Act of 1834?—Yes.

1713. Were not the public-houses open from 12 to one o'clock?—No, they were not open till half-past two, I think.

1714. Think a moment; were they not open from one till half-past two?—I do not think they were open till two, but I may be mistaken.

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1715. If

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1715. If they were open from one till half-past two there would be no difficulty in getting their dinner beer?—No.

1716. Then that would not be the reason?—No.

1717. What do you think it was?—I cannot tell, unless that they could not go to the public-house.

1718. You do not recollect the provisions of the Act of 1854?—I do not, if that was the case; but I know that the houses were closed at 10 on Sunday evening, and all the afternoon, I think, from two o'clock till five or six.

1719. What time do they sup in Birmingham?—From eight till nine.

1720. Then if the public-houses were open from one till half-past two and from five till ten there would be no difficulty in those people getting their beer, either for their dinner or their supper?—There would not.

1721. There are a great number of highly-educated and highly-intelligent working men in Birmingham, are there not?—There are.

1722. What do you think their feeling is with regard to the further restriction to drinking on Sunday?—I saw a very large meeting held in the Town-hall, at which at least 4,000 or 5,000 were present, and they were advocating it.

1723. When was that?—A few months ago.

1724. There was a strong feeling expressed in favour of the change?—Yes; it was a meeting called by persons advocating the Permissive Bill; there were an immense number of working men in the body of the hall, and they all voted for the Permissive Bill.

1725. Do you think that those men would be in favour of greater restriction on Sunday than at present exists?—No doubt of it.

1726. Who presided over that meeting?—I think it was the mayor.

1727. Generally speaking, do you think that the feeling of those working men was a fair picture of the better class of working men in Birmingham?—Yes.

1728. And a fair representation of their general feeling?—Yes, so far as it went.

1729. With regard to the effect of Sunday drinking upon the condition of the men, and of the families of those who do frequent public-houses on Sunday for the purpose of drinking, there can be no question, I presume, about the evil consequences to the families?—None whatever.

1730. Do you think that the women are very much in favour of further restriction?—Yes.

1731. Do you think that many men who frequent public-houses on Sunday for the purpose of drinking, carry it so far as occasionally to have recourse to the Poor Law for their support?—Some of the lower classes do.

1732. That of course is an evil to the rate-payers generally?—It is.

1733. I collect from your answers to Honourable Members who have examined you, that your general opinion is that the greater the restriction the greater the diminution of drunkenness?—The Act of 1854 proved that, as the drunkenness was less that year.

1734. I do not, of course, wish to put opinions into your mouth, but I understood you to express an opinion, that as restrictions increased so drunkenness diminished?—It had that effect.

1735. Are you in favour of such restrictions as exist now?—Yes.

1736. Do you think that they might be carried further with public benefit, that is to say, benefit to those who are wrongly disposed, or weak in resisting temptation, and would the benefit to them be greater than the corresponding disadvantage of inconvenience to the community at large?—That is rather an awkward question to answer.

1737. Do you recollect the Night-closing Act which was passed by Sir George Grey in 1864?—Yes.

1738. Was that Act extended to Birmingham?—It was.

1739. How did it act there?—Very beneficially; it was adopted by the Town Council in October of that year.

1740. Can you bring to mind any one instance in which restrictions on the facilities of getting drink have been otherwise than good?—I cannot.

1741. As a whole, would the community at Birmingham, taking the upper classes, the middle classes, and the more respectable portion, and the better conducted portion of the working classes, be in favour of further restrictions on Sunday?—I think they would.

1742. And would those who would be dissatisfied, and who would complain, be a very marked minority?—Yes.

1743. Would not your conclusion from that be, that the restrictions of a Bill like that which is now referred to this Committee would, as a whole, be accepted with approbation in Birmingham?—I fear it would not; I fear it is too wide a stride at once.

1744. What is the portion that you think too wide; do you mean that you doubt the prudence of proposing that there should be no drinking on Sunday in public-houses?—Yes.

1745. Is that the portion that you objected to?—Yes; they should be open a little time in the evening, and in the afternoon a little.

1746. Do you know the provisions, as regards opening, in this Bill?—I think I do.

1747. The hours are from half-past 12 till half-past two, and from eight to 10; do you approve of that?—Yes; I think that is reasonable.

1748. Do you think that would be enough to meet the wants of the population?—Yes, if you would allow them to drink it in a public-house.

1749. You think that being allowed to drink on the premises, is an essential part of the convenience?—It is; the occupations of most of our working classes are sedentary, and almost every Sunday they walk to one side of the town or the other; it is seven miles through it either way, and they are sure to want a glass of beer somewhere, and unless they can drink it at the public-house door, or in the house, they could not have it.

1750. It would be a hardship to those men, which nobody wishes to expose them to, that they should not drink their beer; but you mean, that they could buy their beer, but that they could not have a place in which they could drink it in comfort?—Yes.

1751. That is a resource which nobody, I imagine, wishes to deny the working-man; but can you suggest any means of preventing that soaking on the premises by men who go for the purpose of drowning themselves in drink, the result being a loss to their families?—That is one of the difficulties.

1752. Have you ever thought over any means of

of meeting that difficulty?—I cannot see how it can be met.

1753. Is there any other means of meeting it than exposing others to some inconvenience?—I do not see any.

1754. You consider sotting a very great evil, do you not?—I do.

1755. Should you not be disposed to think that anything that stopped it would be so great a benefit that it was to be fairly set against some inconvenience?—It should; but whether everybody should be inconvenienced for a few silly people, it is for you, gentlemen, to judge.

1756. With regard to the closing of the public-houses on Sunday, you say that there are 27 publicans and 46 beer-house keepers who close their houses; do you think that there would be a much larger number if all would do it?—Yes, they all would close.

1757. Would there be a general disposition to close if the majority closed?—I think there would.

1758. Do you think that they wish to close if they were not exposed to competition by others opening around them?—If we are to judge by shopkeepers and tradesmen, that is so. In 1860 we had 1,600 shops open, and selling in their ordinary trade on Sunday; there was a petition presented to the Corporation to enforce the Sunday Closing Act, and 250 persons were summoned for Sunday trading the first year, and last year we had only eight summoned; we close up altogether; they all agreed, upon being waited upon, that if A. would close B. would close, and so they would not be summoned, and now they are all closed; at least very few shops are open.

1759. Has the result of that been beneficial or injurious?—Very beneficial to the town; the town looks like another place, it is so respectable and orderly.

1760. Generally speaking the feeling of the community in which you live is in favour of such legislation as will tend to diminish drunkenness, which is felt to be one of the great evils of all large populations, is it not?—It is.

1761. As one of those connected with the administration of justice, have you any doubt that a very large proportion of the crime of the country results directly and indirectly from drunkenness?—I have no doubt it does.

1762. And that if that was stopped, in the same proportion crime would diminish?—It would.

1763. Do you believe that crime is more plainly resulting from Sunday drinking than from drinking on other days; that is to say, is there a longer time consumed in public-houses, and is there more conversation on Sundays as to the means of breaking the law, or of evading discovery if they do break the law than on other days?—No, we have very little Sunday drinking according to our population.

1764. You account for that, do you not, by their going out on excursions on the Sunday?—Yes.

1765. It is a great habit of the place to go out somewhere?—Everybody turns out, and goes to some place on Sunday.

1766. Mr. Locke.] Everybody you say goes out somewhere on Sunday; would it be a great inconvenience to those persons who go out somewhere on Sunday if all those public-houses were entirely shut up?—That is the difficulty.

1767. You say that you have very little

drinking in Birmingham itself on Sunday; therefore the Bill is hardly necessary for you in any way?—Yes, my answer referred to sotting; sitting in public-houses and drinking; persons call and drink glasses of beer, perhaps 50 in an hour, but no one would stay in the house and drink on the Sunday.

1768. How do you account for that?—From the habits of the people.

1769. You say that people would go in and have a glass of beer by fifties; do you mean in Birmingham?—On the road, and in the suburbs.

1770. And it would be very inconvenient indeed to them if an alteration took place?—It would thus far.

1771. Do those persons who go out on excursions go into the public-houses and sot?—No.

1772. Then they merely use the public-houses as any reasonable being would?—Yes, as refreshment-houses.

1773. Do you think it necessary that those houses should be open on Sunday for the convenience of those persons?—It is a very great convenience to them.

1774. Have they not a right to have conveniences the same as other members of society?—They have at present

1775. But is there to be a distinction made between one class and another?—That is for you, gentlemen, to judge.

1776. But what is your opinion; do you think that there ought to be any distinction amongst the different classes of society as to the convenience to which they are entitled?—There ought not, strictly speaking, and yet you cannot avoid it.

1777. Why cannot you avoid it?—Because some persons have the means and advantages of having liquor always at their hand, and others can only procure it from hand to mouth.

1778. Is not that a much stronger reason that the convenience of being able to procure it from hand to mouth should be reserved to those persons who cannot have it in their own houses?—No doubt it is.

1779. You say that drunkenness has greatly diminished in Birmingham?—Yes.

1780. Therefore, with regard to Birmingham, I presume you do not think that any fresh legislation is necessary?—I do not think it necessary; but in answer to the other question, I said that if it were done it would reduce drunkenness, no doubt.

1781. That is to say, it would reduce drunkenness amongst the class of people who are always getting drunk?—Yes.

1782. Of course, if a man cannot get drunk he cannot get drunk; but I will ask you this, supposing Birmingham were to take advantage of the Permissive Bill, if it were passed into an Act and prohibited all spirits being sold in the town at all, do not you think the people would find them somewhere?—Those who are determined to have drink will find the means to procure it.

1783. Therefore those persons who are always getting drunk, legislate just as you may, will still continue to do so; would not that be so?—I fear it would.

1784. Do you think that under those circumstances it is fitting for the Legislature to pass a law which would be a great inconvenience indeed, as you have shown, to reasonable and respectable people who do not get drunk, in preventing them from having their convenience merely for the purpose

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purpose of attempting to prevent a few drunkards from disgracing themselves, who would do it whether you passed that law or not?—It is a very difficult question, and I cannot answer it.

1785. You say that amongst the working and industrious classes the public-houses being open from one to half-past two, would be the time in which they would get beer to be consumed on their own premises for their meals at the time that they dine, which is one o'clock, although probably they might be getting the beer just as dinner was hot; that is considered an infinitesimal convenience by the promoters of this Bill; still they would be able to have their dinner between one and half-past two; but do the whole of the people of Birmingham dine between one and half-past two on Sunday?—No.

1786. Are there not persons who dine probably at three?—I think no persons but those who would be capable of having a barrel of beer at home would dine at three.

1787. Then they get a barrel of beer at home, you think, instead of going to the public-house?—Those who dine at three o'clock would.

1788. They would be obliged to do so, would they not?—They would if this Bill passed.

1789. Supposing they dined later, at a more fashionable hour; supposing they dined at seven or six, then they would be obliged to have a barrel of beer at home?—Yes.

1790. They would have their beer with their dessert, if they chose to get it at the public-house?—Yes.

1791. That is inconvenient, is it not?—Of course it is.

1792. To all those classes of people this Bill would be a great inconvenience, would it not, if they had any other hour for their dinner than between one and half-past two?—Yes, unless they kept a barrel of beer at home.

1793. Do you think that a Bill ought to be passed which would inconvenience the mass of the people for the sake of a few drunkards, who would drink just the same whether it were passed or not; do not you think it is better to let well alone, and not legislate; I should like to have your view of the case, because you come from a sober place?—I think it would allow a little more restriction.

1794. What do you think should be the restriction; take the hours as they are at present, and say how far you would suggest that those hours should be reduced?—They are at present open at half-past 12; divine service is generally over at half-past 12.

1795. In London by a special Act of Parliament, they are not open till one, but in the country it is half-past 12, is it not?—Yes.

1796. Would you propose to diminish the present number of hours, namely, eight, arranged in the way that they are by the present law, during which the public-houses are open?—I should close at 10 on Sunday night, instead of 11; and I would not open till six in the evening.

1797. Instead of opening again at five, you would open at six?—Yes.

1798. Can you give us any reason why you have adopted those particular hours?—I have adopted them as the least inconvenient to persons who would have to procure their beer.

1799. Will you be kind enough to explain how those hours would particularly suit those persons who wish to procure their beer that is to be

drunk off the premises?—I adopt those as the dinner hours, from half-past 12 till three; you may take that as the ordinary dinner time amongst all working people; I would then close from three to six, and I would leave them open from six till 10.

1800. Do you think that would be advantageous?—That would reach everybody for their supper beer.

1801. Those hours might suit the working classes, but with regard to those individuals who are fantastic enough to eat their meals at different hours, it would inconvenience them?—It would.

1802. Do you conceive that the benefit would be so great that it ought to induce the Legislature to make an alteration in a system under which, according to your own statement, drunkenness has very greatly diminished; do you think it worth while trying the experiment, as drunkenness has greatly diminished?—As a general rule with the inhabitants it has; you do not observe drunken people as you used to do in the streets, but the number of cases has increased.

1803. But you say again, the number of cases are composed of those persons who perpetually get drunk, and they are the same people over and over again?—That is so.

1804. Do you think that any sumptuary law could by any possibility make those drunkards sober men?—I fear not.

1805. It must be their own consciences and their own proper feeling which would induce them to give up drinking, must it not?—Yes.

1806. Therefore it would be useless legislating for such people as that, and that being the case, do you think it worth while to pass a law to make any alteration whatever in the hours in which public-houses are open on Sunday?—That is for you gentlemen to judge.

1807. Do you think that it would be so great a benefit as to induce the Legislature to make an alteration in the law which might, and as you stated before in the case of Mr. Wilson Patten's Act did, cause great discontent?—But I do not think that it would cause the measure of discontent now that it did then.

1808. And therefore you think it would be advantageous?—I think it would.

1809. Do you think that it would cause discontent at all?—It would with a few people.

1810. Whom do you designate as a few?—All persons interested; all persons who are always thirsty.

1811. Are there a great many people that are always thirsty?—There are.

1812. What a dreadful condition they must be in if they cannot get anything to drink?—Yes; very bad.

1813. That is a painful infliction upon them, is it not?—Very hard.

1814. And you think that they would get out of the way of being always thirsty if they had nothing to drink?—No; they would have to go to the pump.

1815. Do you think that that would do as well?—It would keep them sober at any rate; it would keep them out of our hands.

1816. With regard to that meeting which you say was called at Birmingham, who were the originators of it?—I do not recollect; but as the mayor is to be a witness to-day, he will be able to give you the full particulars, I think.

THOMAS AVERY, Esq., called in; and Examined.

1817. *Chairman.*] You are Mayor of Birmingham, are you not?—I am.

1818. Is this your first year of office?—I was elected in last July in consequence of the resignation of Mr. Dixon, my predecessor in office, and I was re-elected in November.

1819. Have you been long a magistrate of Birmingham?—For three or four years.

1820. Has your attention been much given to the working of the liquor laws?—No; not very much.

1821. Are you aware of the provisions of the Bill before this Committee?—Yes, I believe so.

1822. Is it your opinion that the restrictions proposed by the Bill would be acceptable to any large number of people in Birmingham?—To a very considerable number they would, no doubt.

1823. Is there a large class in Birmingham who desire to put further restrictions on the sale of liquor?—Yes.

1824. Is that confined to the well-to-do classes, or are there many of the working classes also of that opinion?—A great many of the working classes heartily desire such a measure. I am quite unable to say whether the majority would.

1825. But there are a large number of persons in Birmingham who desire that additional restrictions should be placed upon the sale of liquor?—I believe so.

1826. Many of those persons would go the length, would they not, of prohibiting its sale at all?—Yes; no doubt of it.

1827. Do you think that there are many persons who would not go that length, and yet are in favour of restriction?—Yes; when you say many, there are very few, I think, who would be inclined to adopt such an extreme measure as that of entire prohibition.

1828. The Bill before the Committee would entirely restrict the sale of liquor to be consumed upon the premises on Sunday, as you are aware?—Yes.

1829. Is it your own opinion that that restriction would be excessive?—My own opinion is, that it would be a moderate and reasonable restriction.

1830. That is to say that there should be no sale of liquor to be consumed on the premises at all?—Yes; that is my own opinion. The success of such a measure as an Act of the Legislature would entirely depend, in my judgment, upon whether it would or would not be supported by public opinion; intrinsically, I believe it would be a very wise and benevolent measure.

1831. Do you think that it would cause serious and real inconvenience to many persons who are in the habit of consuming upon the premises such liquor as they buy in a public-house?—To some extent it would, I dare say; but the advantages would predominate.

1832. That is the habit of a great many of the poorer people, is it not?—Yes.

1833. But still, you think that the good which would follow some diminution of drunkenness would outweigh the inconvenience that would be caused to individuals?—I think so.

1834. You stated that it might be a question how far public opinion would sustain such restrictions; do you think that there would be considerable outcry in Birmingham if such restrictions were imposed?—I am unable to ex-

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press any decided opinion upon that subject. At the passing of Mr. Wilson Patten's Act in 1854, there was a great deal of public agitation; at the time of the subsequent measure, the Early Night-closing Act, there was a very slight opposition, and that opposition soon subsided, and the effects, I think, have been highly beneficial.

1835. There was a general acquiescence, was there not, in Sir George Grey's Act?—Yes.

1836. But there was considerable complaint against the working of Mr. Wilson Patten's Act?—Yes, very considerable.

1837. Then the public considered the restrictions in the one Act to be fair, and in the other they did not?—I presume so, at that time.

1838. You are aware that the provisions of this Bill would go a good deal farther than those of Mr. Wilson Patten's Act?—Yes; if I remember rightly, the provisions of Mr. Wilson Patten's Act restricted the hours of opening public-houses from eight to 5½ hours.

1839. During which liquor might be sold to be consumed on the premises?—Yes; on or off the premises.

1840. If Parliament were to pass this Bill you would be prepared, would you not, for a greater objection than was made to Mr. Wilson Patten's Act?—Unless public opinion has changed in the interval, which I believe to a considerable extent it has; but of course that is largely a matter of opinion, and there is no really reliable evidence to enable any one to arrive at a positive conclusion upon it.

1841. Should you like to see this Bill passed as it stands, or would you prefer more moderate restrictions, you having stated that you are generally in favour of restrictions?—I would rather see it passed in its present form, as an experimental measure.

1842. Mr. John Abel Smith.] You recollect the feeling in 1854, and you think that since 1854 there has been a considerable change in public feeling?—I think so.

1843. Do you think that that has more specially marked itself amongst the working classes?—I do not know that it is more specially so; there have been some considerable indications of a change of opinion amongst all classes upon the subject.

1844. Was there not a large meeting held at Birmingham some time since, at which you presided, with reference to some permissive Bill, or some form in which restriction was proposed?—Yes. It was not what we call in Birmingham legitimately a public meeting, because it was not convened by public requisition. It was convened by the United Kingdom Alliance, and at the request of a large number of persons I presided. I think there were probably more than 5,000 persons present, a very large proportion of whom were working men, and they were, I think, unanimously in favour of a permissive Bill.

1845. I suppose it is not an unfair representation of the opinions of that meeting that they were generally in favour of greater restrictions upon facilities for obtaining drink?—Yes, that was the case; they were evidently very strongly in favour of absolute and complete restriction, subject to a permissive power in the local administration of any particular borough;

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that is to say, of a permissive Bill, with practical application by the local government; that was the proposition before the meeting I believe.

1846. Did you hear the evidence which the head constable of Birmingham has just given?—Yes.

1847. Do you endorse the opinion which he expressed, that on the whole temperance is on the increase in Birmingham?—No. The facts and the actual records of the public office, so far as I am aware, lead to the opposite conclusion.

1848. He said that, as to drunkenness, the increased number of cases resulted probably from the repetition of the offence in the case of the same individual a great many times, but that the number of persons indulging in drink was diminished?—I heard the chief constable say so, but I do not know upon what evidence he founds that opinion. The number of cases were, in 1857, 997.

1849. He gave them as 817?—Then he gave them wrongly; there are 997 for the 12 months ending the 31st of December 1857.

1850. Have you the power of giving us the Sunday cases also?—Yes, I will do so directly. In 1857, the population of Birmingham was about 265,000; and the charges of drunkenness, 997; in 1867, the population, as estimated by the Registrar General, I believe, is 345,000, and the number of cases of drunkenness were 1,699. I have no doubt that the chief constable can explain the difference, because the Tables that I am speaking from are authentic returns from the Birmingham police, supplied to me two or three days ago. There is, therefore, an increase of about 30 per cent. in the population, and an increase of nearly 70 per cent. in the cases of drunkenness. Though the chief constable's observation is no doubt quite accurate, that a great number of those cases are the same cases heard over and over again, yet exactly the same principle of taking those cases would be observed in 1857; so that I do not at all concur in the conclusion at which the chief constable arrives, though probably his great practical experience may give him information which I do not possess.

1851. He also stated that sometime since there was a resolution on the part of the magistracy at Birmingham, to enforce more strictly the law against Sunday trading, and that that has worked beneficially?—I think so. There was some opposition and discontent on the part of a few persons, but the great bulk of the population supported the magistrates, and it was finally adopted. I am not aware that there has been any public inconvenience; I believe that it has worked very beneficially.

1852. You believe that that law was passed in the interest of religion and social order on the Sunday?—Yes.

1853. Mr. Roebuck.] Do you know when that law was passed?—I do not know the year that it was passed. I remember the time when greater stringency was applied in the execution of it.

1854. Was not an Act of Charles the Second's reign?—I do not remember the time of the Act.

1855. Do you think that anything that was done in that reign was for the good of society and sobriety?—If so, it must have been by force of contrast, I presume.

1856. Mr. John Abel Smith.] The same principle which, as applied to other things as being thought necessary, might be applied to beer, might it not?—No doubt it might.

1857. And the inconvenience which it produces is to be set against the great public advantage of order and tranquillity, and quiet on that day?—Yes; it is a question of degree and comparison on both sides.

1858. Generally speaking, are you of opinion that laws restraining the facilities of getting drink diminish drinking and drunkenness?—Yes; all the facts with which I am acquainted support that opinion; I heard the evidence of the chief constable with regard to the operation of Mr. Wilson Patten's Act in 1854; in the year following the passing of that Act, 1855, I think the cases of Sunday drunkenness had diminished rather more than half; I can give you the exact number.

1859. Can you give us the general number in 1855, and the Sunday number?—In 1854, the number of persons charged with drunkenness was 671, and the number of persons charged with drunkenness on Sundays was 124. In 1855 the number of persons charged with drunkenness was 585, and the number on Sundays was 63. In 1856 the number of cases charged was 693, and on Sundays was 87.

1860. Generally speaking, you think that the amount of restraint with reference to the facility of getting liquor, acts distinctly in putting a stop to drinking and drunkenness?—I think so.

1861. You consider that a great social advantage, do you not?—Yes.

1862. Have you ever at all heard of a number of persons frequenting public-houses on a Sunday at Birmingham; have they ever been counted?—No; I have no information upon that part of the subject.

1863. Have you any calculation of the amount of expenditure on Sunday in public-houses in Birmingham?—I have no information as to the separate receipts on Sunday, but the ordinary average receipts of public-houses, gin-shops, and beer-shops combined, are calculated at 10*l.* a week for each house.

1864. Mr. Roebuck.] Can you tell us how you suppose that calculation was made?—I think that the licensed victuallers themselves give that as their amount, and that is the ordinarily accepted amount, I believe.

1865. Would you suppose that there was a direct equality between the licensed victuallers and the beer-shop keepers?—No; the amounts are excessively unequal. Some of those people would only take 2*l.* or 3*l.* per week, and others would take several hundreds of pounds per week.

1866. Do you think that what licensed victuallers consider themselves, could be applied to beer-shop keepers; I want to know how you can possibly get at what is sold by beer-shop keepers?—I have heard it stated by very practical persons over and over again, that 10*l.* a week is a very moderate average, but I do not know the means by which they arrive at that result.

1867. Then we may take it to be a mere guess?—Very largely it is conjectural, I expect; but if you will take 10*l.* as the ordinary weekly receipt, as we have 1,998 public-houses and beer-shops in Birmingham, it gives a total expenditure of rather more than 1,000,000*l.* annually, and at least nine-tenths of that would come direct from the pockets of the working people.

1868. Mr. Locke.] Is that consumption exclusively by working people?—I should think that at least nine-tenths of it would be so.

1869. But

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1869. But that would be the consumption of the whole town amongst licensed victuallers?—Of the whole town of Birmingham. The proportion of working men in the town, as it is in most other manufacturing towns, is very great indeed. I think out of about 65,000 houses we have about 55,000 which come within the operation of the compound, and they would nearly all be occupied by working men. Then, if you take the ordinary average of five persons to a house, which is the ordinarily accepted average of the census, you would have 250,000 of the whole population working men and their families.

1870. Does this include beer, wine, and spirits?—Yes, the receipts at gin-shops, public-houses, beer-shops, and taverns of all sorts.

1871. And every description of houses of entertainment in Birmingham?—Not confectioners, and places of that character. There are a great number of wine licenses, and the like, and it would not include those.

1872. You give public dinners at Birmingham sometimes, do you not?—Yes.

1873. And that would all go in?—Yes.

1874. For the rich and the poor the consumption would all go together?—Yes.

1875. *Mr. John Abel Smith.*] As the chief magistrate of Birmingham, charged with the preservation of the peace in one of the most important towns in the kingdom, should you have any fear of public disturbance, or any difficulty in preserving obedience to the law, if such an act were passed as that which is now before the Committee?—Not the slightest; whatever excitement prevailed, it certainly would not take the form of public disturbance.

1876. Do you think it would probably subside after a time?—I cannot express any very confident opinion as to the result. I have a very strong opinion, from a long experience of working men, that such a measure would be highly beneficial, if it were supported by public opinion.

1877. *Mr. Frederick Stanley.*] You stated that you believed that there had been a change of opinion on the part of a great number of working people, and that they are now more favourably disposed towards restrictions?—Yes.

1878. Has any canvass been made of the town with respect to that?—Yes, canvasses have been made, but I am not at all prepared to say how far they are reliable, because they were made by persons who entertain very strong views upon the subject. The result of the canvass, I believe, was very strongly in favour of further restriction.

1879. But you would distrust the figures?—I always distrust evidence where there is very great zeal.

1880. Would, then, your opinion incline to seeing this Bill passed as a permissive Bill without any alteration, in preference to seeing it made compulsory, with modifications, in its present form?—I would rather see it passed in a permissive form, the application of it to be determined by the local governments.

1881. *Mr. Locke.*] You say that it was at the instance of the United Kingdom Alliance that this meeting was called?—Yes, in the case of the public meeting at which I presided.

1882. Was it strictly a public meeting?—It was convened by public advertisement.

1883. For everybody in the town who chose to come?—Yes.

1884. Were there no tickets, or anything of
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that sort?—I think there were tickets to some parts of the hall, and all the others were free. I think that a small part of the hall was reserved, but I should not take any part in that.

1885. However, there were tickets, and some part of the hall was reserved?—I think the side galleries were reserved, but that would be a very small part of the hall.

1886. The platform, I presume, was reserved?—The platform is always reserved; platform tickets were issued without any charge.

1887. Then the platform, I presume, was filled by members of the United Kingdom Alliance?—Very likely, but I do not know.

1888. And the speakers, I presume, were agreed upon before the meeting took place?—Most likely, but I do not know.

1889. And those would be members of the United Kingdom Alliance?—Most likely.

1890. Where was the meeting held?—At the town hall. It was a very large meeting indeed; the estimate was from 5,000 to 7,000; probably 6,000 would be a fair number; the hall was exceedingly full.

1891. *Mr. Roebuck.*] Was there any opposition?—No; the body of the hall was free to the public; it seemed to be exclusively filled by working men, and the more ardent and energetic the statements the more they applauded.

1892. *Mr. Locke.*] Then, in point of fact, this meeting was under the auspices of the United Kingdom Alliance?—Yes.

1893. And it was so announced?—Yes, by public advertisement.

1894. Unless they wished to interfere with the proceedings of the evening, nobody but a United Kingdom Alliance man would go?—I presume that anyone might go; it was open to the public.

1895. The meeting was got up by them, and announced under their auspices, and their friends were expected to come?—A large proportion of the meeting, I expect, would be their disciples, and people who entertained their views, but the meeting was open; the whole body of the hall was open to the public, and a great number of them would also come from curiosity to hear what was said.

1896. But not to interrupt the meeting, which would be a very unpolite sort of thing to do; when the meeting was summoned by a particular body of men, other persons would not come to interrupt them; they have that politeness in Birmingham, I presume, like other places?—My experience of public meetings is, that their proceedings are much more characterised by enthusiasm than by politeness.

1897. Is there any local Act at Birmingham, as to Sunday trading?—I do not remember; we acted under the General Act, I believe.

1898. That is the Statute of Charles the Second, is it not?—Whatever it is, we have acted under it.

1899. I suppose you have persons brought up before you for infringing the Act of Parliament, whatever it may be?—Yes.

1900. What is the punishment that you inflict; it is a fine of 5 s. is it not?—For the first information there very likely would be no punishment beyond a nominal fine. The magistrates of Birmingham are very moderate in their judgments upon cases, especially on first informations and first proceedings.

1901. Do you recollect to what extent the magistrates can go in imposing a fine or any
K 4 other

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1 May 1868. other punishment?—I have never seen a larger fine than 5 s. imposed.

1902. What was that imposed for?—For Sunday trading.

1903. Then what Act are you under?—I do not remember what the Act is. I know very little about this part of the subject. I was at that time very little in Birmingham. I remember very well that there was a great deal of excitement and agitation, and that it soon subsided, and every one has been content since.

1904. But do not you know what the Act is under which you have imposed those penalties?—No; I forget the name of the Act at this moment.

1905. There are 1,998 houses, of all sorts, engaged in the sale of liquor in Birmingham, earning 10 l. a week, which would amount to how much in the year?—£. 1,038,960.

1906. That is not all expended, is it, for beer, wine, and spirits?—Chiefly.

1907. For everything that people use in hotels and public-houses?—Yes.

1908. Turtle soup, expensive dinners, and everything that they enjoy in a public, is included in that?—Yes, I averaged the whole at 10 l. each weekly, but I think it must be more than that.

1909. Do you consider that that is too much for Birmingham?—That is for those who pay, I presume, to exercise some judgment upon.

1910. It is a very incorrect sort of calculation, if the whole of the Birmingham consumption in the public-houses throughout the year amounts to that sum, and yet from that you infer that they are a drunken set of people?—I did not say that; that certainly is not my conclusion; I am very far from saying that they are a drunken set of people; I neither said so, nor implied so; on the contrary, they are a most orderly and well behaved body of people.

1911. Is there anything in that calculation to show whether they drink much or whether they drink little, seeing that it includes all the food and everything else that they consume in those places besides drink?—I said that it was calculated that about 9-10ths was expended by working men in public houses and beer shops.

1912. But working men dine there, do they not?—Very little.

1913. But they do to a certain extent?—But very little.

1914. However, that includes all the houses in Birmingham where the people go to eat and drink?—It does not include eating-houses, but all the houses that are licensed.

1915. How many large hotels are there in Birmingham?—Very few large ones.

1916. Is there not the "Hen and Chickens"?—Yes; I do not think you can count more than 50 at the most.

1917. But surely they must take more than 10 l. a week?—I merely gave 10 l. a week as the average for all the licensed houses.

1918. For instance, we will take the "Hen and Chickens," that is a large hotel, is it not?—Yes.

1919. Do you mean to say that they only take 10 l. a week?—I said that some of them received hundreds of pounds a week.

1920. But how much they receive is not calculated, is it?—Yes.

1921. Have you got it all down in figures?—No.

1922. Your 10 l. a week includes everything, every article of consumption, bread, and meat,

and poultry, and everything?—Yes; and I gave you a division, as near as can be, of the general estimate, that about nine-tenths is spent in drink of various kinds.

1923. How do you arrive at that?—There is no very accurate process thoroughly reliable, it is only approximate.

1924. What process have you at all for arriving at that?—If you will take a few of the large houses, and deduct, you will arrive upon the whole at about 100,000 l. for them. That brings you to the general small class of beer-shops and public-houses, which will give, I expect, about the other nine-tenths, about 900,000 l.

1925. Have those large houses been asked what their take is?—I am not aware that they have.

1926. Then it is a mere guess?—Very largely; it is conjecture.

1927. They charge pretty well for their wines now at Birmingham, do they not, as they do at most other places?—Yes.

1928. You do not get a bottle of sherry for much less than 7 s., do you?—The process of public education is advancing.

1929. That would cover a good many pots of beer?—Yes.

1930. If you drink chateauyquem, and those sorts of wines, it tells up immensely, does it not?—Yes.

1931. You have made no calculation as to that?—No.

1932. You say that there are about 50 of those large houses?—I do not think there are as many as 50.

1933. However, the expenditure in those houses would be very considerable, would it not, in Birmingham?—Yes, I expect it would; but, as I say, it would be a reasonable division to give about one-tenth to them and nine-tenths to the others.

1934. Do you think that one-tenth would cover the sum which is paid for liquor, wine, and beer, in those large places?—I expect so.

1935. However, you have not any distinct mode of making it out?—No; I do not pledge myself to a statement of that kind.

1936. Mr. Roebuck.] Were you helped by anybody else in making that calculation?—No.

1937. Mr. Baines.] I want to know whether you think that the opinions at that meeting of 5,000, over which you presided, are deserving of any respect?—No doubt very great respect.

1938. Do you still think that the opinions of total abstinens generally, notwithstanding your salutary dread of undue enthusiasm, are entitled to some weight on this question?—Certainly.

1939. Do you believe those persons who you say assembled, and who were your townsmen, to be persons of good character and respectability?—Yes.

1940. And that they were, as far as you could judge from all that you heard, and all that you saw, actuated by virtuous and good motives?—Yes.

1941. May I ask whether you think that they would be aware of the condition of the persons and of the families who were living around them, their own neighbours?—I presume so.

1942. Do you think that those 5,000 men had any pecuniary or other interest, or had motive, for taking the course which they took?—Not the slightest.

1943. Then do you believe that their motive was

was one strictly and purely virtuous?—Certainly.

1944. Can you imagine to yourself any motive influencing men like those, and inducing them to come together at much trouble, and to take the interest that they showed in the welfare of their fellow-townsmen, except a good motive, and a desire to promote the real welfare of individuals and families?—I have not the slightest doubt that those were their real motives.

1945. As to the idea of setting aside the opinions of men like those, influenced by such motives as those, and having such knowledge and experience as they have, you would think it in the last degree unreasonable, would you not?—I think it would be very unreasonable to set their opinions altogether on one side; and I think it would be almost equally unreasonable to implicitly adopt their statements in practical legislation.

1946. You think that men who have formed strong opinions are liable to let those opinions influence them unduly till they become men, as it were, of one idea, and attach too much importance to their own views?—I think it is very often the case.

1947. But still is there any other motive for their conduct and for the opinions that they entertain, but the deep sense that they have of the mischief and the danger of the drinking which they have seen around them?—No.

1948. Mr. *Roebuck*.] Do you think that because a man is a teetotalter, he is thereby qualified to give a more worthy opinion than a man who is not a teetotalter upon a question of local law?—I should give to the opinion of every man the influence that his character and judgment appeared to entitle him to, and measuring it also by its reasonableness, and the degree that it was supported by facts and by evidence.

1949. Therefore you would rather judge by a man's mental character, and his general intelligence, and his general probity, than from the fact of his being a teetotalter?—I should not give a predominating influence to his opinions, by reason of his entertaining strong views upon any subject whatever. I should be more inclined to distrust his conclusions, howsoever I might appreciate and admire his motives and character.

1950. Mr. *John Abel Smith*.] Do you know any of the details of a public meeting on the same subject, which was held at Birmingham some years ago, and presided over by Mr. Matthew Davenport Hill, at which there was a good deal of disorder?—I have a general recollection of that meeting.

1951. It was interrupted by disorder for a very considerable period of time, was it not?—I think so, but I cannot give any distinct evidence upon that subject.

1952. Do you contrast that meeting with the meeting over which you presided, and draw the inference from it, that there is a very considerable change in the feelings and desires of the working classes?—In part; I know that the public meetings in Birmingham in favour of restrictions of various kinds upon the liquor trade, have been much more largely attended of late years, that the opposition has very much diminished, if not ceased, and that the general earnestness and power of that class of people in

Birmingham appears to be on the increase. That observation, with regard to public meetings, is supported by my own experience. I have been for some 40 years a considerable employer of labour in the town. I always took a deep personal interest in the history and character of the workmen in the firm with which I was connected, and I know that of late years especially, many of them have earnestly wished that greater restrictions were imposed upon the public-house system, and that less temptations were put in their way. I have not expressed those opinions rashly, or without some thought upon the subject, and as far as I know, those are the reasons which have influenced the conclusion to which I have arrived, that public opinion is advancing in the direction of additional restrictions upon the liquor trade. As we all know it is purely a question of degree, and it has constantly been the subject of legislation, and all statistics are in favour of the opinion that restriction upon the facilities for drinking diminishes drunkenness.

1953. Mr. *Roebuck*.] With regard to the general improvement of the working classes, are you of opinion that, generally speaking, they have increased in habits of sobriety and good conduct during the last 10 or 20 years?—I think that the working classes have greatly increased in intelligence, and I believe that crime is diminishing. I am very sorry to say that the police records do not show that there is any actual diminution in drunkenness, but I quite concur with the evidence of the chief constable, that we certainly see much less drunkenness in the public streets.

1954. But, generally speaking, I think I gather from your evidence that it is your opinion that the habits of the people have improved, and you would say that they are a more intelligent and more virtuous class than they were some 50 years ago?—I hope so, and I believe so. It is impossible for there to be a more kindly or orderly body of men than the working men of Birmingham, as far as I am acquainted with them.

1955. Mr. *Locke*.] My honourable friend the Member for Leeds has asked you a question which nobody doubted whatever, whether the persons who came to this meeting which was convened by the United Kingdom Alliance, came from excellent motives, and, although they were total abstainers, that did not interfere with the purity of their motives. I presume you have frequently dined at charity dinners, and so forth?—Yes.

1956. Do you take wine when you are there?—Yes.

1957. Does that interfere with your motives?—I hope not.

1958. And you give credit to persons who dine at charity dinners, and who take wine, for having just as good motives, and pretty much the same, I presume, as those who drink no wine at all?—Certainly.

1959. You do not conceive that that makes any difference?—No.

1960. Mr. *Baines*.] Was any question asked you that implied a doubt of the motives of those who take wine?—Certainly not.

1961. Mr. *Locke*.] Did I ask you any questions which implied in the least that the motives of the United Kingdom Alliance were not good?—No.

T. Avery
Esq.

1 May 1868.

Mr. GEORGE GLOSSOP, recalled; and Examined.

Mr.
G. Glossop.
—
1 May 1868.

1962. Mr. *Frederick Stanley*.] THERE was an apparent discrepancy between the figures of the statistics of drunkenness given by the mayor and those which you have placed before the Committee; can you explain the cause of that discrepancy?—I can; I gave two years, the year

preceding the existence of the restrictions of Mr. Wilson Patten's Act, and the year afterwards; and then I gave a recent year in accordance with that, from August to August, and the mayor's return is made up from December to December.

ARTHUR BIGGE, Esq., called in; and Examined.

A. Bigge,
Esq.
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1963. *Chairman*.] ARE you the Stipendiary Magistrate of Brighton?—Yes.

1964. How many years have you been there?—Between 13 and 14 years.

1965. You are aware, of course, of the provisions of the Bill before the Committee?—Yes.

1966. There are a great number of persons, as we know, who resort to Brighton by excursion trains on Sunday, and they perhaps make as much use of the public-houses on Sunday as any class of persons in Brighton?—Yes.

1967. I need not ask you whether the total closing of the public-houses for the consumption of liquor on the premises on Sundays, would be a very important change?—Yes, it would; but it would not affect the excursionists, of course, as they would be travellers.

1968. Are there many cases of drunkenness that come before you weekly?—Yes, but no very great number.

1969. Is the number much greater on Mondays than on the other days of the week?—Yes, I think it is; it certainly was last Monday.

1970. Is it twice as much as on other days of the week, do you think?—Yes, I should think it was; but you will observe that that includes two nights.

1971. Could you say that those cases arise more upon Saturday or upon Sunday?—I cannot exactly; the wages are paid on Saturday, and more money is always going about on Saturday night; but also they have more leisure time to drink on Sunday.

1972. Do you recollect the working of Mr. Wilson Patten's Act of 1854?—Hardly; I just went to Brighton about that time.

1973. You would assume, I suppose, that some further restrictions upon the sale of liquor would diminish the amount of drunkenness; I mean that that is the natural cause and effect?—I think it would.

1974. Do you think that there would be much inconvenience caused to the community of Brighton, by closing the public-houses during the whole of Sunday?—No, I do not think there would.

1975. Do the working people not resort much to the public-houses on Sunday?—Yes, they do, of course; there would be less drinking, I think.

1976. But a great many people who now go to public-houses would be prevented from doing so?—Yes.

1977. Do not you think there are many persons who use the public-houses without drinking to excess, but merely for the purpose of refreshment?—Yes.

1978. Would they not feel it a great hardship to be debarred altogether from procuring refreshment, and drinking it there?—This Act does not propose to debar them altogether.

1979. Yes, it does from consuming it on the premises?—I do not think that would be a hardship; they could consume it in their own houses.

1980. You think that the good which would be done by diminishing drunkenness would be much greater than any inconvenience which would be caused to individuals?—I think so.

1981. Have you any tables, or any knowledge of the distinction, in cases of drunkenness, between excursionists and residents?—No, I have not.

1982. Do you think that much disorder is caused in Brighton by excursionists?—It was so some time ago, but not now; some years ago there were 6,000 or 7,000 a-day came to Brighton, but now there are not above 2,000, if so many; the numbers have so much diminished.

1983. Mr. *John Abel Smith*.] Is that because the excursion trains did not pay?—They have charged higher.

1984. *Chairman*.] Is there any common complaint of disorder arising from the excursionists?—Yes, there is.

1985. Do you think that there is much drunkenness among them?—No; they come in great numbers in a hurry, down to the sea; of course if it turns out to be a wet day the public-houses are filled; a good deal depends upon the weather. I should say that, as a general rule, the excursion trains are a very great nuisance in Brighton. Some 4,000 or 5,000 people used to pour down to Brighton, some of them with scarcely any shoes or stockings, roaming about the streets, and perhaps making a great disturbance all day; but I think they are improved now.

1986. Should you prefer to go the whole length of the restrictions proposed in this Bill, to some of a more moderate character; that is to say, such as were enacted in the Act of 1854?—Yes; the people have improved very much since that time; formerly, when the public-houses were closed only during Divine service, there was a vast deal more drinking; people would wait till they were opened after the service, and begin drinking again; but now that they are only opened for the first time at one o'clock, owing to the change in the Act, there is very much less drinking on Sunday.

1987. Has much benefit resulted from Sir George Grey's Act, by which the public-houses close at one in the morning every day in the week?—I do not think it is felt much at Brighton, for this reason, that before that time the police and the magistrates and publicans had come pretty nearly to an understanding that they were to be closed at 12; and that was always acted upon, although there was no law to compel them; they agreed to it pretty well; now that they are allowed to have them open till one,

some

some do keep them open later than they used to do.

1988. Has the general feeling of the people in Brighton been expressed upon this point?—I cannot say that it has.

1989. Mr. Roebuck.] What class of persons, under the present prices, come to Brighton from London on Sunday, and constitute the body of the excursionists?—Respectable mechanics, I think.

1990. A respectable mechanic, I suppose, does not get tipsy?—He does sometimes; it depends a great deal upon the weather.

1991. Will you tell me the difference between the price now and the price when there was the large crowd that came down to Brighton?—I think it was 2s. 6d. to Brighton and back, and now I think it is 4s.

1992. Then the difference between 4s. and 2s. 6d. has made the great difference, for whereas, under the 2s. 6d. system, shoals of excursionists and persons came down you say, and vagabondised about the town, and those people have been kept out by the difference between the 2s. 6d. and 4s.?—Partly that, and partly because the novelty has gone off; they have seen the sea.

1993. But the people who come down in excursion trains, you say, would not be touched by this Bill?—They would not be affected by this Bill.

1994. They would come, would they not, under the head of *bonâ fide* travellers?—I do not think that there is any such word as *bonâ fide* in the Act; they are travellers.

1995. During the late years of your official life at Brighton, could you say that drunkenness has or has not diminished?—I think that it has diminished generally, and I think it has very much diminished amongst fishermen of late years.

1996. That has been under the operation of the present Act?—Yes.

1997. To what do you attribute that diminution?—The drunkenness on Sunday has very much diminished, for the reason that the public-houses are not open till one o'clock; they used, formerly, to be open before, and people would lounge about drinking till eleven, Church time, and then they would lie on the beach waiting until the public-houses were opened at one.

1998. The difference in the law may be dated, may it not, from 1854?—Yes.

1999. Has not drunkenness diminished more of late years than formerly?—Yes; I think there is more pains taken with the people by many persons in the place.

2000. That is to say that the education of the people has improved?—Yes.

2001. And, therefore, that their habits have improved?—A great many people have taken great interest in the welfare of the fishermen, and I think, generally, that has improved them.

2002. And that without any change in the law?—Together with the change in the law.

2003. Applying your experience to your own class in life, have you not found that since you were a boy there has been a great diminution of drunkenness amongst what are called gentlemen?—Yes, I think there has.

2004. Has that been done by Act of Parliament?—I cannot say that it has altogether; perhaps the cheap wines have had something to do with it.

2005. Do not you suppose that the same in-

fluences may have some effect upon the working class as have operated upon your own class?—No; because I think that persons in our class are able to restrain themselves, at all events in the presence of liquor; whereas those people cannot, and they do not know when to stop.

2006. So that you would say that the great body of the working class of England are unable to restrain themselves in the sight of the wine-bottle?—A great many people are not; they have not the power of restraining themselves as much as educated people have generally.

2007. And those are the people that are to govern the kingdom?—That will do so.

2008. Putting aside the excursionists, what class of people in Brighton, on the Sunday, resort to the public-house?—Fishermen and mechanics.

2009. Does the larger part of those who go to the public-house on the Sunday go there in order to get drunk, or merely for the purposes of refreshment?—They go there for the purposes of refreshment, I should say the greater part of them.

2010. Then those persons would be prevented by this Act from going to the public-house for refreshment; do you think that an inconvenience?—They would be able to take liquor to their own houses.

2011. But supposing a man was two miles from his house, and was walking decently and soberly, and with great propriety, on the Sunday; when he happened to be thirsty, do you think that that would be no inconvenience to that decent man?—That man is almost allowed now to be a traveller.

2012. Then you would really do away with the provisions of this Bill by that sort of evasion; and, if so, of what use is the Bill?—A great many people go into those houses because they happen to be open, and not with the absolute intention of getting drunk; and if they were not open, they would not go into them; but those who are taking a long walk are allowed by the Act of Parliament to be travellers.

2013. So far as regards them, this Act is inoperative, is it not?—Quite so, as far as travellers go.

2014. Then of what use is it?—I cannot say, except that the use is to prevent a great number of people sitting and drinking in a public-house; it does not affect a traveller.

2015. Have you not already told me that the larger portion of those who go to a public-house do not go there for the purpose of getting tipsy, or for the purpose of what we call sopping?—Of course; very often they do not go there for that purpose, but they meet their associates, and remain there.

2016. Is not the public-house a sort of club-house of the working classes?—To a certain extent it is, certainly of the man; but then his wife and family have no share in it.

2017. When you go to your club-house, does it cross your mind that you have left your wife at home?—Yes; ladies are not permitted at the clubs yet.

2018. Do you still go to the club?—Yes.

2019. Do you see any reason why a working man should not do the same thing?—People who go to clubs do not get drunk.

2020. You tell me that, do you?—I never saw them.

2021. There are some persons who go to the public-house who get tipsy, but not all, or any-

A. Bigge,
Esq.

1 May 1868.

A. Bigge, Esq. thing like a large proportion of them; is not that so?—I daresay it is.

1 May 1868. 2022. Would you exclude all those who go to the public-house as their club, from the benefit of the club from which you would not be willing to debar those of your own class; would you exclude those because there are a few persons who get tipsy; and do you think that acting like a wise legislator?—I do not know as to that. They go there and meet their friends, and then the end of it is that they get drunk, because the door happens to be open. People who go to clubs go there for totally different purposes.

2023. According to your own allowing just now, the larger proportion go there merely to use it as a club, as you go to your club; to talk with your friends, and to read the newspaper, and that sort of relaxation which everybody requires that they should have; but, supposing that you were the legislator, why should you bring in a law that would prohibit the decent portion of those classes of society availing themselves of the convenience of a public-house because there are some persons who get drunk?—They go there, perhaps, with a good intention in the first instance, and then gradually slope into drunkenness.

2024. But then, you see, that is the very same answer which you have given me upon all occasions?—That is the real fact. Sunday is their idle day, and they have nothing on earth to do on Sunday.

2025. You have already allowed to me that the larger part do not get drunk. I want you to apply your mind to this, and not to answer me about those who do get drunk. Would you exclude those who do not get drunk from the benefit of the public-house, and why?—If they want the liquor, I think in that case, to prevent others getting drunk, they could have it in their own homes, with more benefit to themselves and their families.

2026. You have already allowed that they go to the public-house for the purpose of meeting their friends, and for proper conversation and the relaxations of life; they cannot take all their friends home, and the public-house is a convenience. Why should they not have that convenience?—I cannot say that; but only it leads to this, that they spend their money there which would be much better spent at home.

2027. Do not you think that you have come to a hasty conclusion?—No, I do not.

2028. You yourself are a lawyer, and you know the benefit of examination; do not you think that examination would suggest to yourself that you have come to a somewhat hasty conclusion?—No; I adhere to the first answer that I gave, that further restrictions would prevent drunkenness, and it is a thing to be desired.

2029. That I find is the phrase always used, whatever question I put?—Because that is the fact of the whole thing. I think that comparisons between clubs of persons in your rank of life, and those people who use the public houses, are not at all analogous.

2030. Do you think that the working men are made up of different feelings and sensations from what are called gentlemen?—I cannot say about what their feelings and sensations are; the one class have a considerable quantity of drunkenness amongst them, and the other have not; that is the effect of it.

2031. In the time of our grandfathers, there were what were called three-bottle men; but that is not seen or heard of now; and all this benefit has been derived without legislation; I want to know why that benefit should not be derived to the working classes without this restrictive legislation, or what there is in the character of a working man that should induce you to treat him like a being who cannot control himself?—I can only speak to the fact that we find that he cannot control himself.

2032. Then you lay it down as a rule that working men cannot control themselves?—I would not say that all working men cannot control themselves.

2033. As a general rule, you say that a working man cannot control himself?—I say, as a general rule, that the working men who assemble in public-houses do not go there exactly for the purposes that you would go to a club; they get into drinking, and there they remain, and eventually are unable to control themselves in a considerable degree.

2034. *Mr. Evans.*] Do you happen to know whether there are a considerable number of persons in Brighton who are in the habit of taking their meals at public-houses?—No; I think not.

2035. Do you know whether it is a custom in Brighton for people, especially the working classes, to make excursions into the country on Sunday?—Yes; there are excursion trains occasionally to Portsmouth and other places, but not a very great number.

2036. Do they, generally speaking, come back late at night?—Yes.

2037. For instance, if the public-houses were to be closed at 10 on Sunday, would those persons, generally speaking, have an opportunity of getting what refreshment they wanted after their return?—They can always get refreshment as a traveller; any person who goes in an excursion train can do so.

2038. Even people living in Brighton?—Any person who has taken a ticket at a railway station is a traveller.

2039. Even supposing him to be residing in the place?—Yes, if he has taken a ticket at the railway station, he has a right to refreshment in the refreshment-room, as a traveller.

2040. Would he be considered a traveller if he went to a public-house on his return?—I think the courts would say that he was, because they would say that anybody who has gone out and requires liquor for the purpose of refreshment, and not for the purpose of simply drinking, is a traveller according to the present state of the law.

2041. *Mr. John Abel Smith.*] You have stated, and it is very satisfactory to hear it, that you think that on the whole drunkenness is on the decrease in Brighton; have you any idea at all as to the feelings of the respectable working class in Brighton with regard to further restriction?—I think they are in favour of it.

2042. Has there been any public meeting or any indication of public opinion upon that point?—I cannot say as to that; I am only talking of individuals.

2043. Have you no return with regard to the cases of Sunday drunkenness?—I do not; there are generally more on Sunday, it being an idle day on which people are more likely to drink.

2044. Is there a separate class of public-house, in

in fact, for excursionists and residents?—It becomes practically a separate class; the excursionists who arrive at the railway station make their way to the sea, and those houses on their route are the description of houses occupied by them; Brighton being very long, they do not extend to the extremity; I may say that they are confined very much to a certain class.

2045. Very considerable local efforts have been made to restrain drunkenness, have there not?—Yes.

2046. Have you any idea at all of the number of public-houses and beer-shops in Brighton?—There are 255 public-houses and 254 beer-shops.

2047. Do you know at all what the expenditure at those houses is?—No.

2048. Have they ever been watched to know the number of visitors?—No.

2049. Has there been, as far as you know, a canvass of the houses in Brighton with regard to any restriction on the sale of beer?—I cannot say as to that.

2050. Do you not think that there is a very wide distinction between the club-house of a gentleman and a beer-house or public-house in this fact, that in a club-house a gentleman has a certain influence in the proper management of that club-house, and that a poor man has none whatever in a beer-house or a public-house?—Yes; of course the size of the rooms in a public-house does a great deal. You find, every day, people crowded together in a very small space, and that leads much more to confusion and disturbance than in the large rooms in a club.

2051. Do you know, from any knowledge you possess, whether there is much adulteration in what is sold in the public-houses?—That I cannot say.

2052. Do you personally approve of the Bill now before the Committee, or do you think it too stringent?—I think it would be an improvement.

2053. Do you think that such a Bill, if carried into an Act, would produce any disorder or confusion in Brighton?—Not in the least.

2054. Is there a very strict police in Brighton?—Yes; a very good and very well managed police.

2055. And you do not anticipate any public confusion?—No, not the least in the world, I think.

2056. Mr. Baines.] Did you ever hear of any one who went to a public-house with the express determination of getting drunk there?—No, I cannot say that I have. I think they generally go without that intention in the first instance.

2057. And they are seduced into it by what?—By meeting their friends and the presence of liquor before them.

2058. I think I understood you to say that there has been a diminution of drunkenness in Brighton; do you connect that with the restrictions placed upon the hours of drinking?—Yes; and also I think that the fishermen, who are the most drunken class, are more looked after and cared for than they used to be by the higher classes.

2059. Mr. Locke.] In what way are the fishermen looked after?—There are fishermen's homes and reading-rooms, and things of that sort, which have been established for them.

2060. Are those open on a Sunday?—I am not quite sure whether they are or not. If you ask me generally, I say that an improvement of 0.69.

the men has taken place, and that is one of the reasons certainly.

2061. You are not aware whether those places are open on Sunday or not?—I forget at this moment.

2062. What place have fishermen to go to on Sunday for any amusement whatever; if those places are shut, and the public-houses are shut, they must either stop at home, must they not, or go on to the beach?—Yes.

2063. There is no other amusement whatever for them now in Brighton?—No.

2064. In former days the band used to play on the Steyne, I think?—Yes; the fishermen came home very often early on Sunday morning, and go to bed, a great many of them.

2065. Some of them?—Yes.

2066. Others do not, because they cannot be going out fishing every day in the week?—No.

2067. They only go out on certain days of the week?—No.

2068. It may happen that they may return on Sunday morning, or it may happen that they may return on Saturday in the afternoon, may it not?—Yes.

2069. So that it is a mere chance whether they are at leisure on Sunday or not?—Yes.

2070. I am presuming there are a good many of them who have their leisure on Sunday; what place is there for them to go to for any innocent recreation?—I do not know.

2071. Are you not aware of any?—No, they have got their own homes.

2072. Then you are not aware whether there is any place open on Sunday, where they can go to read and so forth?—I am not quite sure whether those rooms are open or not.

2073. Have you carefully examined this Bill?—Yes.

2074. Will you be kind enough to read the first part of the first clause in the Bill down to the proviso?—"The provisions of the recited Act imposing in England and Wales restrictions on the opening of houses and other places for the sale, and on the sale, of fermented and distilled liquors at certain hours on Sunday, Christmas Day, Good Friday, and any day appointed for a public Fast or Thanksgiving, shall, as respects the sale of the liquors aforesaid, when sold for consumption off the premises, be extended to the following hours, that is to say, from half past 2 till 8 in the afternoon, and from 10 till 11 in the afternoon; and as respects the sale of the liquors aforesaid, when sold for consumption on the premises, to the whole of the said days, subject to the following proviso."

2075. You see that there is no mention whatever made of travellers there?—No.

2076. But have you observed these words: "and as respects the sale of liquors aforesaid, when sold for consumption on the premises, to the whole of the said days; there is no mention made there of travellers?—No.

2077. But you see in the proviso there is mention made of travellers?—Yes.

2078. But that only applies to the metropolitan police district?—Yes.

2079. What effect would that have upon a traveller on the Sunday out of the metropolitan police district?—It would leave him exactly where he is now, I imagine; it is not intended to interfere with him.

2080. Whatever it intends what does it do; L 3 you

A. Birge,
Esq.

1 May 1863.

A Bigge, you see it is *expressio unius, exclusio alterius*?—I
Esq. have always presumed that in that respect the
traveller and the lodger should be just as he is
1 May 1868. now.

2081. But you see the traveller and the lodger under this proviso are excepted?—There is a good deal put in more than that; there is something about taking a meal, that does not come into the old Acts at all.

2082. But the other part does, you see, "selling the same to a person lodging in his house, or to travellers" (they are all in the disjunctive), "or to persons *bonâ fide* taking a meal at his house during the time of such meal." An exception being so made in the metropolitan police district as to those different classes of people, and no exception being so made in favour of them out of the metropolitan police district, do you think it would be safe to leave the clause as it is?—I think that the clause might be amended, but I imagine that the construction of the Act would be that the traveller would remain just as he is in the old Acts, although there are those words.

2083. What is your reason for saying that the law remains the same when there is in the same clause a proviso excepting them as to the metropolis, and leaving the enacting part as to the country in the terms which you see there, which are conclusive, "and as respects the sale of the liquors aforesaid, when sold for consumption on the premises," they are not to be sold in that way throughout the whole of those particular hours, and it says nothing whatever about travellers?—No, it does not, but it imports that new article, the taking of a meal at a house in the London district.

2084. That is in the disjunctive?—Yes; but the preamble of the Act says, "These benefits would be increased by an extension of the said Act." It seems that it means merely to increase the benefits of the other Acts.

2085. It is a very strong extension indeed when it prevents the traveller as well as anybody else?—That may be amended.

2086. I want to have your opinion upon this Bill which has been so well considered; is that clause open to doubt?—As far as I have looked at this Bill I do not think it is meant that the traveller should be in any different position out of London from what he is in at this moment. If it had been so, I think it would have been stated more directly that it is.

2087. You do not think it will have any such effect, but whether it will have that effect you are not prepared distinctly to say?—No; that is a question which will come before another tribunal.

2088. And it might probably come before another tribunal?—It is possible to twist the words into the meaning that you assign to them.

2089. Your attention has been called to decisions which have taken place upon the traveller question; you probably recollect the case of *Taylor v. Humphries*?—Yes.

2090. That I believe is the ruling case now, and Chief Justice Erle's Judgment upon it?—Yes.

2091. There were, I may say, 50 cases or more were there not, before the police magistrates, where they differed entirely upon the construction of the Act?—Yes.

2092. Subsequently this case of *Taylor v. Humphries* had been the ruling case by which a definition of the word "traveller," which is

what you have stated, namely, that it extends to a man whether travelling for pleasure or for business, going out of his own place?—Yes.

2093. But in his own town he would no longer be a traveller, would he?—I am not sure about that.

2094. That is doubtful still, is it not?—No, according to that judgment if a man goes out and takes a long walk, and comes back to his own town, he is considered to be a traveller.

2095. Brighton is a long place, three miles long in front of the sea, and supposing a man were to walk from Brunswick-terrace up to Kemp-town and back, he would never be out of Brighton, and consequently he would not be a traveller?—I am not so sure about that.

2096. But it is doubtful, is it not?—The Chief Justice said that a man who goes into a house for refreshment is a traveller, if he does not go there for the purpose of sitting down to drink.

2097. But that was to be out of the place, was it not?—It does not mention anything about the place. There was a case at Birmingham where a man went four miles, and he was considered to be a traveller.

2098. But that was out of the town?—Yes.

2099. But I want a case in the town?—Supposing a man went two or three miles out of Brighton and came back again and went to a public-house for refreshment, he might do so.

2100. Brighton is a very large place; you may take a very long walk down in Brighton, and still a man would be prevented taking any refreshment, because he would be in the town, and not be a traveller?—I am not so sure about that.

2101. You are doubtful about it?—I am rather inclined to think that he is a traveller.

2102. If he took a walk up and down the cliff, would he be a traveller?—It does not matter where he walks to, the question is, with what object he goes into the house. If he goes in to recruit his body by refreshment when he is walking out, he has a right to obtain liquor. It does not say anything about where he has been walking if he goes in for refreshment simply to restore himself.

2103. Then, anybody who is tired, according to your idea, might go into a public-house and drink?—For refreshment, not if he goes there for the purpose of simply staying to drink.

2104. Who is to prove that?—That is not our business. Chief Justice Erle has laid it down, and there it is. It is very awkward to prove it.

2105. And very awkward for him to prove it, would not it?—Yes. A person with a railway ticket is always considered a traveller.

2106. But a Brighton man walking about Brighton would have no railway ticket?—He might be going to the first station, and then he is entitled to refreshment.

2107. Take a man ordinarily walking about Brighton, he would be shut out from a public-house, he could not go in to get any refreshment, could he?—That depends upon whether he went in there from exhaustion, and want of refreshment, or not, it does not matter where he has been.

2108. By this Bill a public-house in the country is open, and likewise in the metropolis, for certain hours when beer and and so forth may be taken off the premises, that is, three and a-half hours during the day; do you observe what those hours are exactly?—From half-past twelve until half-past

half-past two in the country, and in London from one until half-past two.

2109. Do all the people in Brighton dine within those hours?—I should say yes, all the working classes of Brighton dine between half-past twelve and half-past two.

2110. Therefore you think it would be no inconvenience to them, as that would be an hour when it would be convenient to them to get their beer?—Yes.

2111. It would be necessary for them to do so, would it not, from the public-house during that time?—Yes.

2112. I presume very few of them keep it on their own premises in casks?—I should presume so.

2113. They must get it at the time when they consume it?—Yes.

2114. After that, when you come to the afternoon, are there not persons who dine later than half-past two?—I should not think so; not amongst the class who frequent public houses.

2115. But there are other classes of people above them; do not they likewise want to get beer with their meals?—Not on Sundays, I think. The general habit of the people is to dine after church time, between half-past twelve and half-past two.

2116. The whole of Brighton?—No; a very great number, I should say, of working men and tradesmen do.

2117. Do the visitors?—I cannot say much about the visitors; it does not affect people in hotels.

2118. But the restriction of the hours during which they might get beer or wine or spirits from a public-house to be drunk at lodgings, would affect people who were in their lodgings?—Yes.

2119. Would not this Bill in that form, with respect to consumption off the premises, be an inconvenience to a great many people?—If you are talking about lodgers, I do not think it would. Probably most lodgers drink wine or pale ale in bottles, and they get it in whenever they choose.

2120. Are there not persons who delight in draught beer?—Yes, there are.

2121. And those would be debarred from it, would they not?—Yes.

2122. Ale in bottle disagrees with some people, therefore to those who cannot take effervescent drinks during their dinner that is objectionable, is it not?—I do not think so.

2123. At all events those persons who prefer draught beer and who wish to have that opportunity, it would be an inconvenience to them, would it not?—Very much the greater number of the people who consume it would have it between half-past twelve and half-past two.

2124. But suppose they dine later?—They all, or most of them, dine within those hours.

2125. Do the lodgers?—I do not say about the lodgers.

2126. Those, you say, you know nothing about at all?—The lodgers have most likely wine or ale in bottle for their refreshment, I believe, and there are hours when they can get it.

2127. Lodgers are a very important class of people at Brighton, are they not?—Yes.

2128. Without lodgers, Brighton would be nowhere?—No.

2129. It would be still on the sea, but there would be nobody to see it if lodgers were put an

end to; have you really carefully considered this Bill with reference to the inconvenience which may be occasioned to a vast number of persons, irrespective of those who dine between half-past 12 and half-past two?—I do not think there would be much inconvenience.

2130. But it would be some?—A very small amount; the gentlemen who dine later it does no affect at all; probably in lodging-houses they have stores of beer; if they liked draught beer they would have draught beer in casks, and probably they do so to a large extent as it is.

2131. But you are not familiar with the habits of the lodger *qua* lodger?—No.

2132. Although he is the most important feature of Brighton, you have not given your attention to his habits?—Those are not the habits of the inhabitants of Brighton; they are the habits of outsiders who come there from Friday till Monday.

2133. Brighton is made up of outsiders, is it not?—There are insiders also.

2134. Still Brighton always legislates for the comfort and amusement of visitors, does it not?—Yes.

2135. Do you think that this Bill is a step in that direction?—It would make very little difference to visitors.

2136. Do you or do you not know their habits?—Those who live at hotels, it will not affect, and those who live in lodgings, a great many of them, on Sunday dine at those early hours; it is the ordinary habit of the people to dine in the middle of the day, and go to the churches in the evening.

2137. A person occupying a whole house might want to send out for beer, might he not?—He probably would not send to a public-house for his beer.

2138. If he had none at all at home, probably he would. Are you aware that there is a place called the "Star and Garter" in Brighton?—Yes.

2139. Where they have the best Bass's beer that can be provided anywhere on draught and likewise in bottle?—Yes.

2140. Are you aware that persons send from time to time to the "Star and Garter" to get their draught Bass's beer?—They would not send any great distance on Sunday; Brighton is a long place.

2141. But is there any other place they might send to get it; anybody coming to a lodging or to a house for a short time would not be likely to buy a cask of it?—I cannot say.

2142. Do you think he would?—A person who kept a lodging-house where a good many people lodge, would provide them with beer without sending out.

2143. They cannot provide the best article in that way because they cannot get it?—That depends upon what is the best article; some people think bottled beer the best article.

2144. But others do not like bottled beer?—No.

2145. Therefore those who do not like bottled beer would be inconvenienced?—I do not think it would affect the lodgers.

2146. Do you think it is worth while legislating in this way without knowing what inconvenience persons may incur; for the object which this Bill has in view do you think it is worth trying such an experiment?—As I said before, I do not think it would produce much inconvenience in Brighton, or very great inconvenience.

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2147. But it is impossible for you to say?—I think it would stop drunkenness.

2148. You mean that it might stop drunkenness among a certain class?—Yes; they might drink beer at their own homes.

2149. But those who are not drunken people would be inconvenienced to a certain extent?—Not much.

2150. But to a certain extent they would?—Very little indeed.

2151. Although you do not know their habits?—I know their habits; there is a very large number who live in hotels; and with regard to those who live in lodging-houses, whom you mentioned particularly, on Sunday it is the habit of a great many people to dine in the middle of the day and go to church in the evening, therefore most of them dine, or a great many of them, between half-past twelve and half-past two.

2152. But not the whole bulk of the people in Brighton?—No; gentlemen in their own houses have their own beer, and the other people, the lodging people, can send for beer at the time when they are accustomed to dine, and it would not be any inconvenience to them.

2153. It might restrict many of them inconveniently, might it not?—I do not think so.

2154. Mr. John Abel Smith.] The Honourable Member for Southwark asked you about rooms of amusement for the fishermen; do you know anything of the rooms that have been provided on the beach for those men?—There is a large room under an archway on the beach.

2155. There are two, are there not?—Yes.

2156. Mr. Hibbert.] Supposing this Bill became law, and any inconvenience of the kind mentioned by the Honourable Member were to arise, would any inconvenience arise if the present hours were altered; for instance, if irrespective of this Bill the public-houses in Brighton were closed at 9 o'clock?—I do not think there would be any inconvenience in that.

2157. Do you know when the greatest number of drunken cases occur; is it during the earlier part of the day or in the later part?—The later part.

2158. Would not you get rid of a great amount of drunkenness if the houses were closed earlier in the evening than they are at present?—Yes, certainly.

2159. Would you think that that would be an improvement on the present law without going the length of this Bill?—Yes.

2160. Would you think it desirable to restrict the number of hours during which the houses were open, and were to close at an earlier hour,

say at nine o'clock, or to open at a later hour, instead of opening at five, to open at six or seven o'clock, leaving them open to 11?—I can hardly say as to that.

2161. If the principal cases of drunkenness arise during the later hours, perhaps your opinion would be that it would be better to close earlier?—Yes.

2162. Do you think that any real inconvenience would arise to the people of a place like Brighton if the public-houses were closed at an earlier hour?—They are generally closed by 12, and the beer shops close at 11.

2163. But on Sundays the public-houses are closed at 11, are they not?—Yes.

2164. Would it be any inconvenience to the people of Brighton, and to a population of that kind, to close at an earlier hour, say at nine o'clock?—I do not think it would.

2165. Mr. Locke.] You said, did you not, that the greatest number of drunken cases were on Sunday?—No, the two days Saturday, and Sunday together, mostly produce more than any other two days, because of the payment of wages on Saturday, and Sunday being an idle day.

2166. Those persons who got drunk on the Saturday night would come before you on the Monday morning?—Yes, I think the number on those days are more for that special reason.

2167. That applies probably more to Saturday night than to Sunday, as to the number who get drunk?—I do not know that; their having nothing to do on Sunday leads to a good deal of drunkenness.

2168. However, you have no statistics to show whether a person coming before you on Monday had got drunk on Saturday night or on Sunday?—I have nothing to show that; of course I know it at the time, and it makes a difference in the punishment very often.

2169. Mr. Hibbert.] Do any publicans or beer-house-keepers close their places entirely on Sunday?—I think not.

2170. Mr. Evans.] You said in reply to a question, that you did not think that if this Bill was carried into law, it would cause any disturbance or uproar in Brighton; do you think that it would cause a considerable amount of discontent?—No; I dare say it might at first, as was the case when the old Act came into force requiring the shutting up of public-houses the whole of Sunday morning, but they very soon acquiesced in it.

2171. Do you think that they would acquiesce in this?—Yes, I think they would acquiesce in it; they would take it as a matter of course.

The Rev. JOHN GARRETT, D.D., called in; and Examined.

Rev.
J. Garrett,
D.D.

2172. Chairman.] You are a Clergyman, living in Manchester, are you not?—Yes.

2173. What is your church at Manchester?—I am rector of Christchurch, Moss-side.

2174. Mr. John Abel Smith.] I think you have had very large and varied experience in England of the working classes?—I have.

2175. You were first of all vicar of St. Paul, in Cornwall, were you not?—Immediately before I was appointed to my present living, I held the vicarage of St. Paul, near Penzance.

2176. Before that you were a rector, in Lincolnshire?—I was Rector of Biscathorpe, in Lincolnshire.

2177. Before that were you chaplain of the Alton Workhouse, in Hampshire?—Yes.

2178. Before that, were you chaplain and master of Stroodes Alms Houses and school, at Egham?—I was.

2179. Before that, were you curate of Worldham?—Yes; I was curate of East Worldham, near Alton, in Hampshire.

2180. You were four years curate of St. John's, Waterloo-road, Lambeth, were you not?—Not quite so long as four years; I was two years curate of St. John's, Waterloo-road, Lambeth.

2181. Does

2181. Does that take in the New Cut?—Yes, it borders one-half of it upon the New Cut.

2182. Before that you were curate of Wheatley and Garsington, near Oxford?—Yes.

2183. And also curate of St. Mary's and St. Nicholas, Beverley?—Of the united parish of St. Mary and St. Nicholas, Beverley.

2184. And also at Hull?—I was curate of St. Marks, Hull.

2185. And also at Aughton-cum-Cottingham?—I was curate of Aughton-cum-Cottingham, in Yorkshire.

2186. Have you paid very great attention to the working of the Liquor Laws?—I have.

2187. Will you state what you think of the present law, as to its working in rural districts?—I have examined carefully into several cases which have come before my knowledge of fornication, particularly cases arising in rural districts, and the fall from virtue of both young men and young women; I have examined into those cases especially as to the cause of such fall from virtue, and it has been my conclusion from such examination, that in nearly all such cases, it arises from drinking in public-houses on Sunday. I beg to explain my reason for giving that conclusion as to the way in which it occurs; young people at 15 or 16 years of age become acquainted with each other, and they go into the rural walks round the country, I believe, with the perfectly innocent intention of enjoying each others' society; they come at a mile or a mile and a quarter from the village or town to a cross road in which one of those houses is open on Sunday; these young people, as a general rule, drink very little, if any, ardent spirits during the week, but during their walk they go into this place, and a very small quantity of ardent spirits in beer produces an unnatural state of bodily feeling; the passions become excited; and I have traced in many parishes in which I have been the downfall in virtue to that excited state of the passions which arises from such drinking on Sunday; on their way home the young people become demoralised. I have traced those same parties, generally speaking, as the seed, if I may so speak, of prostitution in large towns. A young woman when she falls from virtue is open to two great practical injuries in life, and specially in rural districts; she is open to an unnaturally early marriage, which has its own evils; but she is more generally open to being drafted into the neighbouring large town; and having so fallen from virtue in the country, I have traced them afterwards as the prostitutes in the streets of our large towns.

2188. I do not suppose the Committee will entertain much doubt as to the evil effects of drunkenness on the morals of the people?—I am now specially speaking as to drinking on Sunday.

2189. You think that the effects which you have described are extended to large towns, and that the rural districts are the nurseries of the crime which prevails in towns?—That is quite my experience.

2190. I will not ask you the medical or physical effects upon the constitution of the people; you have an opinion upon that subject, but I presume you have no medical knowledge?—I have a great deal of medical knowledge; I have had the privilege of a considerable study of medicine; I have had as many as 60 patients in my own house to receive, from myself and my wife, medical advice and assistance at times, and I have had considerable study of the medical and phy-

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sical effects which are produced upon the population by this drinking on Sunday, particularly as the root of other drinking during the week days; I have found its fruits as the chaplain of a workhouse, and I have found its fruits in a very extensive experience in education. I have been a master myself and have taught a 100 boys single-handed, and I have traced the injury upon the constitution of boys, both mental and physical, to the separation of men from their families during the Sunday which, in my opinion, ought to be naturally their day of rest, and then their coming home to their families again in a state, if not of entire, of partial intoxication.

2191. You know the Bill which has been referred to this Committee?—I do.

2192. Have you taken a great deal of pains with reference to an examination of the public feeling on that subject?—I have.

2193. Can you tell the Committee what large meetings have taken place with reference to this Bill?—Especially in Manchester and London, very large meetings have been held, and in both those places the meetings have been called by requisitions to the mayor of Manchester, and to the Lord Mayor of London. Therefore they were meetings of the citizens of those great towns, in public meeting assembled, presided over, in their official capacity, by the mayors of those towns.

2194. What induced the Lord Mayor to call that meeting?—The Lord Mayor of London was induced to call a meeting by a very remarkable requisition, a copy of which I hold in my hand; it was signed by 106 of the chief aldermen, merchants, and gentlemen of business in London, in the City of London chiefly. The signatures to that requisition were chiefly in order that the Mayor of London, who is Lord Mayor of the City, should be impressed with the fact that the aldermen and merchants of the City of London requested him to perform this duty.

2195. Where was that meeting held?—At the Guildhall. The 106 signatures were the leading aldermen, merchants, and residents in the City. There were 151 clergymen of the Church of England, all incumbents or curates in actual charge of the largest parishes in the Metropolis, headed by Archdeacon Wordsworth and others; there were 125 Congregational or Independent ministers, headed by the Rev. Newman Hall, and embracing the acting Congregational non-conforming ministers in the Metropolis. There were 66 Roman Catholic priests, headed by his Grace Archbishop Manning, embracing, I believe, the acting priests in the Metropolis; there were 65 Wesleyan ministers, headed by the Rev. William Arthur, president of the Conference, and embracing, I believe, the acting Wesleyan ministers of the Metropolis; there were 60 Baptist ministers, headed by Dr. Angus and the Hon. and Rev. Baptist Noel, and, I believe, embracing the acting Baptist ministers in the Metropolis; and there were 22 other miscellaneous ministers, Presbyterians and others. Altogether the requisition was signed by 599 of the leading magistrates, merchants, and ministers of all denominations in the Metropolis, and signed by that large number within a very few days.

2196. How many people attended the meeting at the Guildhall?—It was computed by the police authorities in the Guildhall that there were over 3,000 people at the meeting.

2197. What class of people were they?—Very largely

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largely working people; artisans chiefly, I should say. It was an open meeting, called by public requisition, placarded all over the City of London, and the doors were open throughout the whole of the meeting.

2198. Was there a strong-feeling exhibited in favour of restriction?—There was a resolution passed very nearly unanimously, requesting Parliament to entirely close public-houses and beer-houses on Sunday in London; that was the purport of the resolution, the wording of which I have here.

2199. Can you give us any particulars as to the Manchester meeting?—The Manchester meeting was also called by a requisition to the mayor, signed, I believe, by the largest and most influential body of merchants and people in Manchester who had ever signed a requisition upon any subject whatever to the mayor of that city.

2200. Where was the meeting held?—The meeting was held in the town hall, and it was quite full. I am myself not personally aware of the capacity of the town hall of Manchester; then there was also another very large meeting the same day in the Free Trade Hall.

2201. Were there 1,000 or 4,000 persons present in the town hall?—I have always understood that in the town hall there were 2,000 people.

2202. Were they very strongly in favour of restriction?—They were unanimous in favour of the total closing of public-houses. I would wish to guard myself here; I give the opinion that there were 2,000 people in the town hall as a mere guess; I am not myself personally able to speak to that point, but no doubt there are gentlemen in the room who could do so.

2203. Was not there a deputation appointed at that meeting to Mr. Gladstone?—At the great Free Trade Hall meeting in the evening there was a deputation of 20 working men appointed to wait upon Mr. Gladstone to request him to bring in a Bill for the entire closing of public-houses on Sunday.

2204. Did they see him?—Yes. I had the privilege of accompanying 20 working men from Manchester, and we waited upon Mr. Gladstone, and made our appeal to him in the name of a meeting composed of between 4,000 and 5,000 working men in the Free Trade Hall.

2205. Did those men urge very strongly on Mr. Gladstone compliance with that prayer?—They urged very strongly; one artisan in particular put his commission in remarkable words before Mr. Gladstone, the exact words of which I have, and am able to testify to.

2206. Did a deputation also go to Lord Derby?—A subsequent meeting at the Lambeth Baths appointed a similar deputation to wait upon Lord Derby.

2207. There have been other great meetings besides the City meeting and the Manchester meeting in favour of restriction, have there not?—There have been two classes of meetings held both in Manchester and in London; the first under a requisition to the lord mayor and the mayor, and a second class of public meetings at the Lambeth Baths, the Free Trade Hall, and Exeter Hall also, they had a very large meeting, particularly of Roman Catholic working men.

2208. Have the public shown by petition any great feeling in favour of restriction?—Yes; during this session of Parliament they have shown very largely their feeling by petitions. I hold a return in my hand of the petitions during this

session of Parliament; for the entire closing of public-houses on Sunday, there have been 651 petitions, signed by 124,426 people; and in favour of this Bill there have been 3,550 petitions, signed by 317,393 people, making altogether 4,201 petitions and 441,819 signatures.

2209. Mr. Roebuck.] Were not both classes of petitions signed by the same people?—No.

2210. How do you know that?—There has been a marked difference in the action of those who are desirous of promoting the total closing of public-houses on Sunday, and those who are endeavouring to have this present Bill passed; a very marked line of difference of opinion, indeed; so that the same people would not sign the two petitions at all.

2211. They ask the same thing; why should not they sign the same petition?—In the estimation of working people there is a very strong difference between the entire closing of public-houses on Sunday, and what is proposed by this Bill.

2212. Mr. John Abel Smith.] Is there any sectarian or other feeling in favour of particular legislation with reference to this subject?—The leading men in the kingdom, in both religion and politics, have declared to me that on no subject has there been known such unanimity of opinion, both in religion and politics. It is shown, very remarkably indeed, at the present moment; in Ireland, for instance, in the remarkable coincidence that you have the signatures of Cardinal Cullen and of Archbishop Trench, the Archbishop of Dublin, to the same requisition; and the remarkable coincidence that here you have the signature of Archbishop Manning and Archdeacon Wordsworth. The Archbishop of Canterbury did not actually sign the requisition to the Lord Mayor, but he has very strongly expressed his opinion in favour of the Bill.

2213. With regard to the feeling of those who are charged in England with the superintendence of the local law; can you give the Committee any information upon that point?—With regard to magisterial opinion, I hold in my hand a copy of an address to Lord Derby, at the time when his lordship was Prime Minister, which was sent in and officially presented to the Prime Minister of England. It is addressed "To the Right Honourable the Earl of Derby, K.G., &c. My Lord,—We, the undersigned justices of the peace in England and Wales, having considered the provisions of the Bill introduced into Parliament for regulating the sale of intoxicating liquors on Sunday, beg leave to state that we believe the measure to be safe and good for the country; and we hope your lordship will secure the assistance of the Government for Mr. John Abel Smith, Mr. Bazley, and Mr. Baines, that their Bill may be speedily passed into law." This address to Lord Derby was signed by 69 mayors of the largest towns we could select in England and Wales, headed by the mayor of Bristol, the mayor of Southampton, the mayor of Newcastle-upon-Tyne, the mayor of Bradford, the coroner for Yorkshire and mayor of Sheffield, the mayor of Sunderland, the mayor of Carlisle, the mayor of Reading, the mayor of Southport, and, if the Committee desire, I could mention others.

2214. Mr. Roebuck.] Did the mayor of Sheffield sign for himself, or for a meeting?—For the mayor, as a magistrate; it was a magisterial address to Lord Derby.

2215. Is that the opinion of the mayor of Sheffield;

Sheffield; because, I think, I know it to be the contrary?—Yes; this requisition was signed, in my own presence, by Mr. Webster, the coroner of Yorkshire and mayor of Sheffield, after going carefully into the provisions of the Bill, and I presented his original signature to this address to Mr. Disraeli. Besides the 69 mayors, there were 11 chairmen of benches of magistrates, including the chairman of petty sessions of Darlington, the chairman of petty sessions of Abergavenny, the chairman of quarter sessions for the county of Flint, and the chairmen of what we believe to be a very large representative magisterial body throughout the kingdom. It was signed also by 148 other magistrates, who are deputy lieutenants, and very prominent in their counties and districts. Altogether, the total number of the magisterial body who addressed the Prime Minister to pass this Bill are 248 of the chief magistrates in the kingdom.

2216. Mr. John Abel Smith.] What knowledge have you of the feeling of the working classes in favour of further restriction on drunkenness?—If you mean with respect to Sunday drinking, having taken the best mode in my power to ascertain their opinions throughout the country, I believe that a very large majority of the working classes are anxious for the entire closing of public-houses on Sunday. There is one point, if you will allow me to allude to it, on which all the meetings have particularly requested me to speak, and as I cannot speak in the House myself, I should like here to take an opportunity of giving this testimony to the Committee. Resolutions have been passed at very large meetings, and the last was passed in the Lambeth Baths by 3,000 men, expressing great indignation at public-houses and beer-houses being called working-men's clubs. I know, as a truth, that the mass of working men consider it an insult and a calumny to call those places their clubs; they have no control over them, and if they had they would not allow them to open on Sunday. I hold in my possession a resolution which was passed at a very large meeting of working men at Lambeth, a short time ago, in which they expressed a desire that that should be impressed upon the House of Commons.

2217. Do you know at all what the magnitude of the drain upon the people's earnings is by Sunday drinking?—Yes, I have had a large correspondence with the publicans and beer-house keepers in London, and I have received letters giving me information as to the amount of money which is received in those houses on Sunday. One landlord, when I asked him to sign a petition from the publicans for the closing of public-houses on Sunday, wrote to me that he believed I must be mad, inasmuch as he was in the habit of receiving more than 30*l.* every Sunday in his one house; but an estimate has been formed, taking 3*l.* a house for all London, and it has been challenged in a large way; and this average of 3*l.* a house throughout London has never been denied. There are 11,000 houses open in the metropolis every Sunday, and at 3*l.* a house, that would be 33,000*l.* every Sunday.

2218. Which makes a total of a million and a half during the year?—Yes.

2219. Do you know anything of the feeling of the publicans with regard to shutting up on Sundays?—I hold a petition in my hand signed by 438 licensed victuallers in the metropolis. It

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is a petition to the House of Lords, and a counterpart of it has already been presented to the House of Commons, asking that the public-houses and beer-houses should be entirely closed on Sunday; and no doubt that number could be very largely increased.

2220. With regard to the general feeling of the community, including the working classes, and taking the people as a whole, do you believe that a further restriction on drinking is very much wished for?—I do.

2221. Do you not believe that that exists, although there may have been a decrease in the general habits of drunkenness?—The extent of the decrease, in comparison with the increase of population, is a matter of doubtfulness to me.

2222. With regard to the feeling in favour of increased restriction, you speak with great confidence?—Yes, certainly; I have been implored by large bodies of men to do so.

2223. You speak with a full knowledge of the state of feeling both of large towns and of rural districts?—I do.

2224. Do you know anything particularly of the feeling of working men in Manchester amongst whom you live?—I do.

2225. Do they entertain a very strong opinion upon the subject?—A very strong opinion in favour of the entire closing of public-houses on Sunday exists in Manchester.

2226. Do you think that that goes to the extent of a majority of the working men in Manchester being in favour of the entire closing of public-houses on Sunday?—A very large majority of the working men in Manchester would be in favour of the entire closing of public-houses on Sunday.

2227. And there is a great feeling of that character throughout many of the large manufacturing towns in Lancashire, is there not?—Yes, all over Lancashire there is a very strong feeling; there have been many evidences of it, especially in Liverpool.

2228. You do not believe that if such a Bill as that which is now referred to the Committee were carried into a law there would be any general resistance or disturbance in the country?

—I declare, in the name of the people, that the idea of there being such a disturbance is a calumny upon them. I was in the New Cut, as a clergyman, shortly before the slight disturbances occurred on the passing of Mr. Wilson Patten's Act in 1854: immediately previous to that time I was there for two years, and I knew the people intimately, and if it was legitimate for me to state it, I would endeavour to clear the people from what I believe to be a very great misrepresentation of them in the matter.

2229. You do not believe that the disorders which took place in Hyde Park had anything to do with Mr. Wilson Patten's Act?—I know that they originated with Lord Robert Grosvenor's Sunday Trading Bill, and the reason that they so originated was very peculiar and very special.

2230. Have you ever been in public-houses in the New Cut, or in the neighbourhood of London, on Sunday evening?—I have been at the doors of them frequently, and seen what was going on.

2231. Occasionally was there at that time, still more than now, a good deal of disorder and noise?—Very bad language was the chief feature.

2232. Did you see a great number of young people there?—Yes, young people collecting together round the door.

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2233. Is

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2233. Is that one of the strong reasons, do you think, why fathers and mothers desire a change in the law?—Yes. They lose their parental control over their young people between the ages of 15 and 18, in consequence of their being drawn off into those places on Sunday. When, as a clergyman, I endeavour to persuade the parents to control their young people, they invariably give the answer that they are drawn off from them by this temptation on Sunday.

2234. Do you know anything about the connection between crime and drinking?—Only in individual cases. I prefer speaking of things entirely within my own knowledge; but I ascertained that general point by a very careful examination of a large population of fishermen in Cornwall. As I stated, I was vicar of the parish of St. Paul, which embraced a population of 5,000, chiefly fishing people. I made in that parish a very practical inquiry, extending over 20 years past, by an examination of the parish books, with the assistance of my churchwardens; and also examining the history of the various families in the parish, with a view to determine the number of criminals and the number of inhabitants of the workhouse, for whose maintenance the rates were liable during the last 20 years before I left the parish. Within that population it was quite within our power to trace accurately the persons who had been in the workhouse and who had been criminals; and in that population I found that on an average eight out of ten of those cases during 20 years were clearly traceable to drink, or originating in drink. I pursued a similar investigation still further for the coming 10 years, by taking the case of every family then in a state of destitution in a population of 5,000 people; those whose children were not at school, and those whose parents were in the workhouse, and the parish therefore liable for them; all those cases in which the ratepayers generally have to maintain either as criminals or paupers a portion of the population. We came to the conclusion, myself and the parish officers, that, except for drinking, then at that time we should have only one out of 10 persons probably chargeable during the next 10 years; that is to say, we should save nine-tenths of the expense of pauperism and crime to which the parish would otherwise be subject if we could have stopped the drinking. I believe that that is a safe conclusion over the whole country.

2235. Mr. Hibbert.] Do you know anything about the public-houses in which they have music in Manchester on Sunday evening?—Yes. I believe, from information which I have received, there are 46 of them.

2236. Can you give the Committee any information about the bad result which arises from those places being open?—They draw away chiefly our Sunday-school scholars. The music they have generally is of a *quasi*-sacred character, for the purpose of drawing away the better educated portion of the young people.

2237. Chairman.] What do you mean by music of a *quasi*-sacred character?—Organs which play the old hundredth psalm, for instance, and music by Handel.

2238. Do they play Handel's and Mendelssohn's music?—Chiefly that class of music.

2239. Mr. Hibbert.] Those places are principally attended by young people, are they not?—Very largely.

2240. Do you know what time those places

generally commence their musical attractions on Sunday evening?—Soon after or about the time that the various churches and places of worship are being opened; and their entire action is, that whereas we have 30,000 churches and other places of worship open in the kingdom, there are opened every Sunday 145,000 opposition houses, public-houses and beer-houses throughout England and Wales.

2241. Do you know at what time generally the public-houses commence their musical entertainment on Sunday evening?—The houses are all opened at five o'clock.

2242. Do they commence music at that time?—I think not quite so early; not generally on that day.

2243. Is it not the case that most of those places commence about seven or eight o'clock in the evening?—Earlier, I think, than seven; they begin to make preparations.

2244. Do you know to what hour they continue the music?—I believe the chief portion of the music is as late as they can keep the houses open; it increases in intensity.

2245. You think it is a fact that they continue the music in those places up to the hour of closing, that is, up to the hour of 11 o'clock?—I do.

2246. Have you ever noticed any advertisement about the sacred music at public-houses on Sunday?—I have.

2247. What form has it generally taken; have you seen advertisements in this form: "A free-and-easy on Tuesdays, Fridays, and Saturdays; and sacred music on Sundays"?—Yes, I have seen such an advertisement.

2248. Is it in Manchester that you have seen that advertisement?—I cannot say, myself, that it applies more to Manchester than other towns.

2249. Do you know whether this system of music in public-houses on Sunday evening is more general in Manchester than in other large towns?—I believe it is also very general in other large towns, but there are other attractions of a very remarkable class in London, for instance.

2250. What are they?—Exhibitions of remarkable objects.

2251. What kind of objects; objects of art, or what?—A very remarkable animal is frequently set up as an object for children to see.

2252. Is that done to attract people into the public-houses?—Yes, it is done to attract people into the public-houses, particularly the low beer-houses.

2253. Chairman.] Are those places where they have music, music halls, or is it merely an organ playing in a tap-room?—An ordinary public-house, and very frequently a beerhouse.

2254. They have an organ playing in the tap-room?—Yes, and other musical instruments besides.

2255. Mr. Hibbert.] Is it not the case that in some houses in Manchester they have a large music-room attached to the public-house?—They have; but I do not know how many of them take out music licenses.

2256. Mr. Locke.] I might set you right upon that point; I think in the country a music license is not necessary; it is only in the metropolis that it is necessary?—I believe that is the case.

2257. Mr. Hibbert.] Do you know whether the magistrates have ever taken any means to try to stop the music on Sunday evening?—I believe that the magistrates consider themselves powerless

less on that point unless it produces riot or disturbance in the street.

2258. Do you think that in granting a license yearly, they would not be able to impose any conditions upon that license?—That would be a matter for the magistrates' judgment.

2259. Supposing that public-houses were closed earlier in the evening, you would get rid of all those objectionable places, would you not?—That depends upon how early they are closed.

2260. Supposing, instead of closing, as now, at 11 o'clock, they closed at nine o'clock, would you by that means get rid of a large amount of drunkenness?—No doubt, in proportion to the time you close them.

2261. Is it your opinion that it would be better to proceed upon the principle laid down in the Bill, rather than proceed upon a restriction of the present hours to some extent?—I think that the great desire of the people, and I only speak with respect to people's opinions, is that those places should not have any drinking on the premises.

2262. Do not you think that if you resort to too great a change of the law at once, you rather may give rise to a certain re-action of public feeling?—No doubt if you resort to too great an alteration over and above what public opinion would support.

2263. Do you remember the changes introduced by Mr. Wilson Patten's Act in 1854?—Yes.

2264. Can you say anything with respect to the operation of that Act?—As far as I had experience of the operation of that Act, I know that it was most beneficial.

2265. Supposing that the Bill at present before the Committee was not to be passed into a law, would you think that the next most desirable object would be to restrict the number of hours and close the public-houses earlier in the evening than at present?—No doubt it would be so, next to shutting them up altogether from drinking on the premises.

2266. Mr. *Frederick Stanley*.] You stated, did you not, that in the New Cut there was frequently disorder from persons standing outside the public-house?—I did not mean that the disorder was outside the public-house, but in the place, and persons going into it. I do not think that in the New Cut itself they assemble in large crowds outside the house; there are houses in other parts of London where they do so.

2267. I think I understood you to say, in answer to a question whether you had been in any public-houses on Sunday that you had been at the door?—Yes.

2268. And in answer to a further question, you stated that there was frequently disorder?—I meant in the house loud talking and evil conversation is what I have chiefly observed in those places.

2269. Your answer refers exclusively then to the inside of the house?—That was my intention; I was at the door; I have frequently stood in and about the door, and seen persons going in and out, and have observed the very bad tone of language which they use.

2270. You never noticed any disturbance outside upon those occasions?—I have been, myself, at the Church service the greater part of every Sunday evening, and when I have visited those places as a clergyman, it has been very late at night, consequently I have not, myself, had an

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opportunity of personal observation of persons in the street.

2271. The object of my question is this; it has been stated by some witnesses that very probably the effect of this Bill would be, that during the hours during which liquor is allowed to be sold for consumption off the premises, persons would assemble immediately outside the door, in order to be on the safe side of the law, and that the drinking would take place immediately outside the door of the public-house instead of inside; do you concur in that opinion?—I do not believe that the people of the street would allow it. I believe that the public opinion of the street would utterly forbid it.

2272. That is a matter which you would depend upon public opinion to enforce?—Very largely; the whole of the law would be enforced by public opinion chiefly.

2273. What would be your opinion as to the advantage to be derived from the alternative of either seeing this Bill pass in a permissive form, applicable to particular localities, or in a compulsory form all over the country, but with modifications in its present shape?—The great difficulty, in my opinion, would rest in framing a machinery to put the permissive power in operation. As the Bill at present stands, it stands upon five distinct Acts of Parliament, which legislate simply and only for the number of hours of sale on Sunday. The moment you enter into another principle of operation of the law you involve the machinery of the Bill in many difficulties, and great difficulty would arise in that way. In Birmingham for instance, supposing it were possible to adopt such law for the Sunday alone, the question would be whether the object of adopting it for one day in the week would be sufficiently large to justify putting the whole population of Birmingham to a vote upon the subject.

2274. My question was rather as to whether you consider that most benefit would arise from passing the present Bill exactly as it is applicable to particular localities, or whether you consider that more general benefit would arise from passing it for universal restriction all over the country, subject to modification as to the hours?—I understand you now, and I think the relative advantage of both forms of law would depend upon the number of hours of entire restriction. If you were to pass a law leaving the houses still open for six hours on Sunday for drinking both on and off the premises, I do not think that the advantage of that law over the whole country would be equal to the advantage of a permissive Bill in the shape in which this law is; but if you were to pass a law closing all houses all over the country except for three hours, that is an hour and a-half, which in the opinion of Major Greig of Liverpool was enough, in the middle of the day, and an hour and a-half in the evening; I think an Imperial Act of that class would do more good than a permissive Act of this class; the relative advantage, in my judgment, would depend upon the extent of restriction that you would have in an Imperial Act.

2275. Mr. *Locke*.] What is the precise object of the United Kingdom Alliance?—To obtain a Permissive Bill.

2276. The Permissive Bill which we have had before Parliament, I think?—I do not know that the United Kingdom Alliance is involved in the particular provisions of an actual Bill.

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2277. Are

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2277. Are you aware that there is a Bill called the Permissive Bill which has been withdrawn, and which was more than once submitted to the consideration of Parliament?—I know that there was such a Bill brought in by Mr. Wilfrid Lawson.

2278. Or was it by the Member of Hull?—No: that was a Sunday Closing Bill.

2279. The Permissive Bill was to enable local authorities of any place to prevent liquor being brought into the town and being sold in the town at all?—It proposed to give the right to two-thirds of the rate-payers to prohibit the sale of liquor within the district in which those rate-payers reside; that is, to my judgment, the meaning of the Permissive Bill, which was proposed.

2280. If they chose they might interdict the sale of fermented liquor within that town altogether?—Yes, I think so.

2281. That would include Sunday too?—Yes, no doubt.

2282. You were connected with the Alliance, were you not?—I value the principles of the Alliance.

2283. Were you not connected with it?—In what way?

2284. As secretary?—Never.

2285. Or as a member of it?—Only as a small contributor to its funds.

2286. Were you the treasurer?—Never.

2287. What precise position did you hold in the Alliance?—I was only a very small contributor to its funds, and I have spoken at two meetings under the auspices of the Alliance simply to give the general sanction of my position as a clergyman to its principles, without binding myself at all to the immediate details of the Act.

2288. Have you not taken any active part whatever in the Alliance beyond being merely a contributor to its funds?—No, not in the United Kingdom Alliance.

2289. Is there another Alliance?—I do not know of any.

2290. You never had any dispute with the Alliance?—Never with the Alliance as with the United Kingdom Alliance; I may perhaps direct your mind to the exact point that you wish information upon, which I am very anxious to do; I have had a difference of opinion with a body or an association which I myself founded with reference to Sunday sale alone.

2291. What association was that?—A central association in Manchester for stopping the sale of intoxicating liquors on Sunday; that association is not the United Kingdom Alliance.

2292. In what way were you connected with it?—I was the originator and founder of the association.

2293. I believe you have had a dispute with them, have you not?—Some of the members of the executive did not act as I thought they ought, and I separated from them.

2294. There has been a dispute about the funds, has there not?—In what way?

2295. They say that you have not given them up the funds?—I think not. I hope not.

2296. Have you not given them up?—No.

2297. But there has been a dispute?—There has been a difference of opinion which has been investigated by a committee of investigation very recently.

2298. Have you ceased to be a member of it?—

I hold still, I believe, the rightful authority of representing the original conference out of which that association grew.

2299. In what way did the dispute arise; with respect to what?—With respect to the authority upon which I acted as the representative of the association when out of Manchester. That is exactly, as nearly as I can give it you, the first origin of the difference of opinion.

2300. It ended in your being dissociated from them, did it not?—No, it ended in my separating from association with a few members of the executive. A few members of that association met in Manchester when I was not there without any notice to me, and they passed a resolution rescinding the authority which I possessed from the executive at large to represent that association, and do its work at a distance. Those few members having so passed that resolution behind my back without my knowledge, and without giving me notice, I said that I would be no longer responsible for anything that they did.

2301. You do not represent them now?—Not that section of the executive, but I represent the original conference which founded the association.

2302. But were they the majority of the executive?—No, a very small minority.

2303. Your attention has been specially directed to Manchester, as I understand?—All over the kingdom.

2304. In London?—Yes, in London also.

2305. What knowledge have you of the working classes in London especially more than anybody else?—I lived for two years as a clergyman in St. John's, Waterloo-road, Lambeth, with a population of 10,000 people.

2306. When was that?—From 1851 to 1853; that was my period.

2307. Have you not resided in London since?—I have been a great deal in London since, but not actually officially engaged as a clergyman.

2308. Is your view at present in favour of entire closing all the week, including Sunday; are you in favour of the Permissive Bill?—I should wish the public opinion of England to be prepared for it, and to adopt such measures.

2309. Would you wish to adopt such a measure at present?—Not till public opinion was prepared for it.

2310. How do you propose to ascertain that?—Through the action of Parliament.

2311. By Parliament passing such an Act, do you mean?—By Parliamentary discussions of the proposal; I believe that Parliament has the great power of making public opinion in the kingdom.

2312. Are you aware that Parliament has already discussed that question, and that they threw out the Bill?—They very slightly discussed it; I was present at every debate on the subject.

2313. However, they did discuss it as far as they desired?—As far as the initiation of it was concerned; I do not consider that a debate in any one Session of Parliament is a Parliamentary discussion of a question.

2314. However, as far as it goes, the Bill was brought in by Mr. Wilfred Lawson, and it was, if I recollect rightly, read a second time?—No, I think not; I think it was on the second reading that it was thrown out.

2315. The division on the first reading was in favour of the Bill being read a first time, and then

when it was discussed again upon the second reading, was it not?—Yes.

2315. And then it was thrown out?—There was a majority against it.

2317. Do you recollect what the majority was?—Not the exact figures.

2318. It was a considerable one against the Bill, was it not?—Yes.

2319. You think that that Bill having met with such success upon that occasion, ought to have been brought in from year to year afterwards, and still further discussed?—I should be glad to have such a measure gradually discussed through the House of Parliament.

2320. Every Session?—I do not mean to say that I should wish it every Session.

2321. It was discussed and it was rejected; and I ask you now what further steps you would desire should be taken as to further discussion?—As soon as those who have Parliamentary experience consider that public opinion has grown from what it then was, I should be glad to see another Bill brought in.

2322. Is it not your opinion that Members of Parliament consider that public opinion has not grown to such an extent as to induce anybody to bring it in again?—I am satisfied that Members of Parliament feel that public opinion is in progress, and growing more strong upon that question.

2323. But nobody thinks that it has grown to such an extent as to induce them to bring that Bill in a second time?—I should think that gentlemen who have experience of Parliament would prefer waiting till the great mass of the householders of England are themselves, through their own Parliament, able to express their opinion. That is my judgment of the case.

2324. Then of course, if you are in favour of a permissive Bill, you would be in favour of this?—I hope you do not take me as saying that I should be myself desirous of a permissive Bill passing until public opinion is so much in its favour as to support its operation.

2325. Do you consider public opinion so much in favour of this Bill as to support its operation?—I believe it to be so.

2326. For the reasons which you have given, that is to say, meetings of members of the United Kingdom Alliance, and different societies of that description, where persons have met under their auspices and have passed resolutions in favour of this Bill?—I should be sorry if you have understood me as saying so. My opinion is, that a meeting called by the United Kingdom Alliance would not be in favour of this Bill.

2327. Then what meeting would be?—What I mean is this, that the United Kingdom Alliance believe that on Sunday those public-houses ought to be closed altogether.

2328. And that nothing should be had to be drunk off the premises either?—Quite closed altogether.

2329. Is that your opinion?—I do not think it would be wise for Parliament to pass a Bill at this present time closing the public-houses altogether.

2330. But you would if you could?—I should not, begging your pardon.

2331. If you could pass it, would you not do so?—I would not; as a clergyman, I should be sorry to be responsible for it.

2332. Because you think it would be distasteful to the public?—I go with respect to that 0.69.

question very much upon the opinion of the Earl of Derby.

2333. What was his opinion?—His opinion was that to stop off suddenly, by one Act of Parliament, all access to beer and spirits from the masses of the population would not only be unfair, but impossible, as a statesman's act.

2334. Did you take the opinion of the Earl of Derby upon this Bill, the Sale of Liquor on Sunday Bill?—Mr. Bazley, the Member for Manchester, accompanied me to the Earl of Derby, and Lord Derby stated, in answer to our request, that he would, on the part of the Government, bring the weight of their support to a total closing Bill, that he did not consider, as a statesman, that that would be right. Then Mr. Bazley suggested that a Bill might be framed for the entire closing of public-houses for drinking on the premises, leaving them open for a reasonable time in the middle of the day, and a reasonable time in the evening, for sale only to be consumed off the premises; and Lord Derby's answer was, that he thought such a Bill would have the mark of statesmanship upon it, and that if a private Member brought it in, it might pass through the House of Commons, and his Lordship did not believe that it would be much hindered in the House of Lords.

2335. But the number of hours was not stated by Mr. Bazley?—Yes, Mr. Bazley stated that from half-past 12 or one to half-past two in the early part of the day was a reasonable time, and from eight till 10 in the evening.

2336. *Chairman.*] Was it understood that during those hours only the sale of liquor to be taken away should be permitted?—That was clearly understood at the time; and in order to make it more certain, we went with a deputation to Mr. Walpole, that there might be no misunderstanding about it. Archbishop Manning, the Rev. Newman Hall, and other gentlemen of influence came with me to Mr. Walpole, when we had a long consultation with him as to the exact provisions of the Bill, and we obtained from Mr. Walpole an opinion, that he would support the Bill as it is now framed.

2337. *Mr. Locke.*] Was Mr. Walpole in office at that time?—He was; he was then the Home Secretary.

2338. Did you go before Mr. Gathorne Hardy?—We have not officially been in communication with Mr. Hardy; I mean that we did not bring any large deputation to him.

2339. Did you submit this Bill to him?—Yes, we submitted it to him with this magisterial address.

2340. What was Mr. Hardy's answer?—I could not form a decided opinion as to Mr. Hardy's opinion of the exact Bill.

2341. It was not favourable, was it?—It was very favourable and encouraging.

2342. And yet you could not understand it?—No, I did not mean to say so; but I should be sorry to state, because Mr. Hardy did not himself state as distinctly as Mr. Walpole had done, his direct support of the Bill; that is what I mean. Mr. Hardy, I think, reserved the expression of his opinion.

2343. You do not exactly know what Mr. Hardy's opinion was?—As to the immediate details of the Bill, I do not.

2344. As to the proposed enactment you mean?—The details of the Bill; I have no means of knowing Mr. Hardy's opinions as accurately as

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as I had spoken of Mr. Walpole; but I know his general feeling with respect to it.

2345. What is his general feeling?—In favour of the Bill, I believe.

2346. In what respect?—Altogether I believe it to be so.

2347. Altogether as to the hours?—I believe it to be so but I have no definite proof; I cannot say that I know that.

2348. Did you hear what Mr. Hardy said in the House of Commons about it?—Yes, I always have felt that Mr. Hardy was anxious for this inquiry; but it was a point upon which Mr. Hardy reserved, as I understood, his direct opinion, until the evidence before such a Committee as this, should show whether the provisions of the Bill were really suitable to the country or not; that seemed to me to be the position of Mr. Hardy.

2349. *Chairman.*] You disclaim, on the part of working men, their use of public-houses as clubs; I asked the question early in the day, which I dare say you heard upon that point, whether public-houses are not used as clubs by those who frequent public-houses; that may be true, but at the same time you may disclaim very properly on the part of those who do not use public-houses that they are their clubs?—I believe that it is a very unfair thing to bring the case of gentlemen's clubs at all into comparison with the position which working men are in with respect to public-houses and beer-houses.

2350. Is it not the case that a great many working men use the public-house as a place of meeting and conversation?—As their place of sitting and drinking, I believe they do.

2351. Is it your opinion that the frequenters of public-houses generally are men who use them for the purpose of sitting and drinking?—Those who use them on Sunday do.

2352. The movement in favour of this Bill is an attempt to impose upon all that which commends itself to one class of the community?—I think not; I think that the right position of the case is this: The movement for the entire closing of public-houses on Sunday would convey to my mind the impression of a desire on the part of a certain section of the community to impose restrictions, which they believe from religious, as well as from temperance grounds, to be advantageous to the country.

2353. You think that one recommendation of this Bill is, that it gives room for the exercise of private judgment?—A much larger body of people support this Bill than would support at the present time an Act of Parliament for the entire closing of public-houses on Sunday.

2354. You do not think that public opinion is ripe for a measure which would be absolutely compulsory on all?—If you mean the entire closing of public-houses on Sundays I do not think it is ripe for that measure.

2355. *Mr. Hibbert.*] With respect to the proviso in this Bill, giving power to persons in the Metropolitan district to take liquors on the premises and to consume a meal, do you think that it is necessary to give the people of London that advantage over the people in the country?—There are a great number of persons in London who are lodgers, and the lodgers in London are very differently situated, with respect to their Sunday dinners, from lodgers in the country. My own parish in Manchester is largely composed of respectable lodgings for young men in busi-

ness. In Manchester they invariably have their dinners at home on Sunday. It is a feature of a good lodginghouse-keeper that the lady is able, and keeps a proper servant to make the young men comfortable at her lodgings on Sundays.

2356. Then it is on those grounds that you would agree to the insertion of that proviso for London?—Yes.

2357. Do not you think that the insertion of such a proviso as that would give rise to great difficulties as to what the law meant by a *bonâ fide* meal; do you not think that it would give rise to great legal difficulties if it came before the magistrates?—I do not suppose that the magistrates would have any difficulty in deciding what a *bonâ fide* eating-house during the whole week was.

2358. It says that a person taking a *bonâ fide* meal might take liquor upon the premises; would not it give rise to great difficulty to say what a *bonâ fide* meal was?—It is a question for the lawyers.

2359. *Chairman.*] The Honourable Member on my left put some questions to you, in which you were asked if your dispute with a certain society had reference to money matters; I suppose any imputation of that sort is a matter of perfect indifference to you?—Perfectly.

2360. You have no wish, I presume, to say any more about it; of course, your position and character is a great deal too high for you to be caused any annoyance from any imputation of this kind expressed elsewhere?—Except that I should wish this, and I am sure the Honourable Member for Southwark would desire that exactly what is the truth should be known. Such charges were made publicly in a newspaper, and a vote of censure upon me was proposed at a large meeting in Manchester, which is a matter of public notoriety. Some gentleman moved an amendment that a committee of investigation into the whole circumstances, with power to send for the books and papers, should be instituted. That committee of investigation has been held, and a report has been issued by two of the gentlemen forming that committee of four upon the resignation of the fourth, they considering themselves to be the majority of the committee which had then become composed of three members. In that report of the committee they have declared, with respect to that particular point of the funds, that I stand in this position: "The expenditure and cash accounts. We find that the association took authority to collect 5,000 £., that Dr. Garrett incurred no expenditure without express authority, and that he is entitled to receive the sum of 160 £. 14 s. 1 d., as the balance due to him on account of deputational expenses under the resolutions of the executive. We also find that the sum of 30 £. 15 s., remitted to Dr. Garrett in London, from friends in Gloucester, was paid by him to the London Association, the gentlemen in Gloucester who remitted it being well aware that the money would be so applied, and not be sent to Manchester.

2361. You are aware that I asked that question, not from any idea that it was necessary to have an explanation, but, as the matter had been referred to, to enable you to say anything that you thought fit upon the subject?—I know your purpose, and I thank you for it.

Monday, 4th May 1868.

MEMBERS PRESENT :

Mr. Baines.
Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.

Mr. Locke.
Mr. Malcolm.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

The Most Reverend ARCHBISHOP MANNING, called in; and Examined.

2362. *Chairman.*] ARE you aware of the provisions of the Bill before this Committee?—I am.

2363. You have taken a great interest; have you not, in the question of imposing further restrictions on the sale of liquor on Sunday?—Yes, I have taken great interest in it.

2364. Will you state to the Committee your opinion of the working of the present liquor law, and what improvements you think are urgently called for?—My belief is that the sale of drink is less limited on Sunday at this time than the sale of any other article of food; that it is an exception in our legislation, and a very dangerous one. I believe that the evil of drunkenness has been steadily increasing; I am aware that there is a difference of opinion upon that point, and I have attended to the arguments adduced on the contrary, but I cannot say that they have affected my opinion; it is acknowledged that the consumption of beer, spirits, and wine has greatly increased. I believe that to be an undeniable fact, and I believe the connection between that increased consumption and the increase of drunkenness on Sunday can be very easily proved by observation; and although it is not in the Bill, nor is it before the Committee, I feel that I cannot exclude the mention of Saturday night, which is the eve of the Sunday, as the most dangerous time for our working people; it is a time when they have the wages of the week in their possession and their time at their command; and the abundance of evidence taken in 1853 and 1854, confirmed by my habitual observation, proves to me that the evil of drunkenness is far greater on Saturday night and on Sunday than during all the rest of the week. I believe, therefore, that the present state of the law is quite insufficient; I believe that all the moral efforts that we are using are at this moment counteracted and paralysed to a very great extent by the present condition of the law; and unless the Legislature intervenes to undo part of the evil which it has done, what we are endeavouring to do for the correction of drunkenness will be inefficient.

2365. Before proceeding to examine you with regard to the special provisions of this Bill, will you state whether you are aware that the police reports show an actual diminution of the number of persons arrested for drunkenness and offences into which drunkenness enters?—I am perfectly well aware that in Scotland that is the fact.

2366. I mean, that that appears by the evidence.

dence of the metropolitan police; are you aware of it?—At this moment, as to London, I am not aware of that fact; of course my information may be imperfect upon that point.

2367. We have had evidence from Sir Richard Mayne to the effect that there is a gradual and progressive diminution in the cases of drunkenness; that might be true, and at the same time the quantity of fermented liquors sold be still increasing, on account of the greater wealth of the population?—Yes, it might certainly be so; that great efforts are being made to counteract the temptations to drinking, and have been made in the last year, is perfectly certain, and that they have had some effect I have no doubt; I can speak with a knowledge of one particular occasion. Every year the population for which I am more especially responsible, about 200,000 of the poorest in London, are exposed to very singular temptations for about 48 hours; I mean at the time of the feast of St. Patrick every year. During that period we take special and very active steps, if possible, to prevent the entrance of any of our people into public-houses; and, I am bound to say, with very marked success year by year. I can answer for the last three years, in which magistrates and the bench, I believe, have given testimony, that there has been hardly any instance of charges on those days. There is also an association for the suppression of drunkenness among us, one part of the duty of which is to encourage men in a determination not to drink at a public-house on Saturday night and Sunday. I am quite sure that the other religious bodies in London, some members of which, I believe, have already given evidence, or will immediately follow me, have been making efforts of the same kind with very great earnestness and very great success. I am, therefore, quite prepared to hope that there has been a diminution of the instances of drunkenness; I have no doubt of that, but I would observe that the police cases of drunkenness afford no evidence of the extent of drunkenness. The report of the Committee in 1854 distinctly says, that the statistics that they had before them were not sufficient to prove the extent of drunkenness, but that all that was brought before them proved that drunkenness extended far beyond the cognizance of the police; because the police take cognizance only of contraventions of the public peace and the public law, whereas drunkenness which falls short of breaking the public peace in the street is very frequent, and therefore I do not think that the

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testimony of the metropolitan police would be a sufficient answer to the statement with which I began. I believe that there is a vast amount of domestic drunkenness and drunkenness in every class which does not fall under the cognizance of the police.

2368. Undoubtedly, all will admit that there is a vast amount of drunkenness; the only difference of opinion would be as to the best efforts to diminish it. And, again, it will be admitted that the cases coming under the cognizance of the police are those who are either drunk and disorderly, or drunk and incapable, and that beyond those conditions there may be a vast amount of drunkenness; but you said just now that Saturday and Sunday, being the nights of the week on which the working classes have most money in their possession and most leisure to spend it, are those nights on which the greater amount of drunkenness takes place; but we have it in evidence, from nearly every witness who has spoken on the point, that a greater amount of drunkenness takes place upon Saturday night than on Sunday. With one exception, every witness has said that; therefore this Bill, which proposes to restrict generally the number of hours on Sunday during which liquor may be sold, would not touch the evil, which is most prominent on Saturday evening?—I quite admit that; and I think I am correct in stating that a Bill was lost not long ago by an attempt to insert Saturday night. I believe I am correct in that fact. I regretted extremely that it failed, because I entirely agree with the evidence which has been given, that the greatest amount of drunkenness, measured by hours, will be found on Saturday night, and for this very obvious reason, that the men are sometimes paid their wages in public-houses, or, if not paid there, the men enter the public-houses with their pockets full of the week's wages, and I am sorry to say remain there, in many instances, until they have entirely spent their week's wages. More mischief is done, therefore, upon the Saturday night; that I admit. But when a Bill is offered to us which will at least check the consequences on the Sunday, that I accept as a great boon, though I do not consider that it is an adequate measure. If the Committee will allow me, I will read a few sentences out of a letter. It is an anonymous letter; but I think the Committee will not reject it for that reason; it is written by one of my own flock, who signs his initials.

2369. May I ask whether the writer is known to you?—I could not say that he is known to me by name, and therefore, perhaps, the evidence would not, strictly speaking, be admissible at all, but the moral evidence of the letter shows that he is a person who is in communication with me. I read these sentences, because, as the honourable Chairman has referred to Saturday night, although it does not fall within the scope of this Bill, I, perhaps, may be permitted to make a comment upon that point. This gentleman writes, saying: "I see that you are engaged in the effort to close the public-houses on Sunday. Allow me to say that the real mischief is done on the Saturday night. This is the pay-night of most people in a subordinate capacity. They have money in their pockets, and adjourn to a public-house with a few comrades. It is a pity for the poor wife and family if it rains. He remains a willing prisoner till perhaps he is turned out at 12 o'clock. It is needless multiplying arguments.

A walk from Aldgate to Mile End between 12 and one at night will convince any one. I do beseech you to exert your powerful influence against Saturday night; it is a great deal more dangerous than Sunday to wives and children. Pray try and get the closing hour of Saturday night altered from 12 to 11. I think it would be an easy matter. Had I my will, I would limit any tradesman to 11 o'clock, if only on account of the white slaves who knock out a miserable life in their employ. You may say what you like against Sunday, but, as regards intemperance and poverty, it is Saturday night which does the mischief." I entirely concur in the opinion of that writer; and I believe it is a fact. The present Bill does not include the Saturday, but I am only too thankful to get a partial closing on Sunday, because I know this, that the instances in which men exhaust the whole of their week's wages on a Saturday night, are, I am sorry to say, not few, and there are many who spend what may remain on Sunday morning as soon as the houses are opened. The writer of this letter speaks of the way in which respectable families spend the Sunday, and he argues for the importance of allowing the sale of drink to be consumed at home, in which I believe we are all agreed; and he goes on to say: "But there are persons who get drunk on Sunday mornings. I will explain. It is well known among common people who have their eyes open that drink is obtainable at any hour on Sunday, in spite of enactments to the contrary. If you choose to inquire you may find such places in plenty on the south side of the Commercial Road East, and I suppose in the poor districts generally. I may remark in passing that a large number of such places exist in the immediate vicinity of Saint Ann's, Spitalfields, where you assisted at mass some time last year, on the anniversary of Saint Ann, I think. I may tell you that the publican has the sympathies of the residents in the neighbourhood. A man is posted at the door, and it is an easy matter to dodge a solitary policeman in full uniform, particularly when the public-house is at the corner of a street, as is frequently the case. On entering you find a man at the door, who has opened it in response to a signal from the man outside. The bar is covered with linen cloths, I suppose to prevent evidence in the shape of spilt beer, in case of an unexpected visit from the police. The trade is beautifully brisk, customers not being allowed to dally any longer than it takes them to drink the liquor they have purchased. The beer, as may be imagined, is not equal to that usually sold at the establishment; but I have to speak of Saturday night." Then follows the passage which I have read, and he states that those who are turned out at the closing of the house remain waiting until they can enter on the Sunday again. Therefore I believe that this Bill, although it is only partial, is of very great importance, and would check a great amount of drinking.

2370. Does the writer mean that persons would absolutely remain in the neighbourhood of a public-house from the late hour on Saturday night, where they had remained by an evasion of the law, till one o'clock on Sunday?—I believe it was stated in evidence before the Committee in 1853-4, that there are instances of the kind, that persons remained lingering about from Saturday night until the opening of the public-house on Sunday morning, and enter again. The

The evidence here given is with regard to persons who get in by fraud, and by the connivance of the police.

2371. You take it as the evidence of a person who is anxious to state the truth, that there is already a great evasion of the existing law?—Yes.

2372. Will you look at the provisions of this Bill, to see how far they would, in your judgment, meet the evils; are we to take it that you are of opinion that the restrictions proposed, as far as they would go, would be a step in the right direction?—Yes. The non-consumption on the premises and the limitation of certain hours, I consider a step in the right direction.

2373. But if the present law, so far as it goes, is so much evaded, would there not be a greater temptation to evade it when it became much more stringent?—Probably there would, but I believe that those evasions would not by any means restore the evil to the extent to which it existed before; and if I may be permitted to say so, I should wish to give in evidence, that which I feel would be contrary to the belief of some whom I have the honour of addressing, and that is, that the Forbes Mackenzie Act in Scotland, although greatly evaded, of which I have not any doubt, has so far prevailed, that I am confident that it has diminished the consumption of spirits in Scotland. I think I am therefore warranted in assuming that the amount of drunkenness is less, but for the present I will not say to what extent. I quite believe that there will be evasions of the law under Mr. John Abel Smith's Bill, if it passes, as I hope it may, into an Act; but the first thing I observe is this, that the prevention of consumption on the premises will render it more difficult, and will have probably an effect in checking it, and I think that not only one very important moral consequence will follow from it, namely, the diminution of consumption, and therefore of drunkenness, but the restoring of our poor to their own homes; and that I should hope hereafter to show is one of our greatest dangers at this moment. I believe that no population could be found—I was going to say, in the world, but to be moderate, I will limit it to England—that is more entirely undomestic than the great mass of our poor in all our large towns, and especially in London. And I would beg to state the reason why I think that that is so evident, and why I think our public-houses constitute the first and the chief mischief. I have no doubt that the morals of the people are undermined, and are destroyed by the destruction of the domestic life, and of all that which in England we happily know in our country parishes, where the cottagers have a home and a hearth, and where their families have something like domestic order, is entirely lost among our poor in London to a very great extent. And I am confident that the attraction of the beer-shop and public-house, as stated here in this letter which I have read, drawing the labouring man from his wife and family, is one of the chief causes which has destroyed the homes of our poor.

2374. You think that the manner in which public-houses are used in this country and the general habits of the people are such that, as a rule, the public-houses cannot be used innocently, as they are in some foreign countries; that is to say for convivial meetings, without abusing it?—No, I do not think so. I think that, unfortun-

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nately, the enormous capital invested in brewing and in distilling, and the enormous increase of beer and spirits, and the consumption of both, has spread the habit of drinking among the lower class of our population; and I am sorry to say it is invading other classes too; and as we not only had positive evidence before the Committee of 1853 and 1854, but as I have evidence in my own daily experience, is invading women upon a large scale, and also, as was proved before the Committee of the House of Commons, is invading children. Therefore, I feel perfectly satisfied that some time will be required before we can reduce our public-houses to such order as that they may be used, as you say, for convivial and innocent purposes without excess. I think that the evil has been done to a very great extent, and is being done every day; and the longer we delay the remedy the more uncontrollable that evil will be. But, it appears to me, that this distinction is to be drawn. Public-houses, as they were originally known in our law, were houses of call, or they were houses of legitimate trade and supply for domestic use; but, after some years, the great facilities of licensing houses for the sale of beer, and also the diminution in the price of spirits, increased greatly the consumption of both; and a class of houses has sprung up which can neither be justified by the necessity of a house of call nor by the legitimate use of supplying a family. We have got now houses, which I must call neither more nor less than drinking places, boozing places, and places of drunkenness. If you take London, I am afraid to say how many thousands there are, licensed for the sale of beer and spirits; and of those many thousands, I imagine the number which are legitimate houses of call or legitimate houses of supply are very small, as compared with the great multitude which are not required for either of those purposes. Mr. John Abel Smith stated a fact of his own observation, and I also stated another, on the same occasion, to the effect, that within about 200 paces in York-street, in Westminster, I counted nine gin shops standing within 200 yards, often two or three doors of each other, and Mr. John Abel Smith counted 14 in about 250 paces in Knightsbridge. It can never be said that those are either houses of call or houses of legitimate use for families; and I therefore believe that this third class of houses, which has been created under the operations of the law for the last 30 years, and has become now exceedingly numerous, houses open on Sundays universally, are not needed for any legitimate purpose, but are sources of unspeakable demoralisation to our people.

2375. The Committee have been anxious not to go into the licensing question, but I think that the answer which you have just given is quite pertinent so far to our inquiry, because you have illustrated a number of houses open on Sunday by what you have stated; but we ought not to go further into that part of the question. You have referred to the operation of the Act called the Forbes Mackenzie Act in Scotland, which is before the Committee, and a witness who has taken great interest in the case in Scotland, Mr. McLaren, will no doubt give evidence upon the working of that Act; but I would ask you whether you have considered the great difference in the habits of the Scotch and English people with regard to the imposition of greater restrictions, particularly in the use of beer; I think I may say from my own knowledge that the great portion

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tion of the working classes in Scotland are not beer drinkers, and that those who resort to public-houses do so generally for the purchase of spirits, and are rather the intemperate class of the community; whereas there are a large class in England who use the public-houses for the purchase of beer, and by no means with a habit of drinking to excess, who do not exist in Scotland at all: and hence I think it will be admitted that the working of the Forbes Mackenzie Act in Scotland, where the habits of the population are so different, is not exactly a parallel as to the working of a similar Act in England?—Probably that is so; but the purpose for which I would adduce the only fact that I refer to (because I feel that the Member for Edinburgh ought to give his own evidence, and it would not touch his), is this, that before the introduction of that Act, nearly 7,000,000 gallons of spirits were consumed annually, whereas on the passing of that Act the consumption dropped to 5½ millions; I remember stating that publicly last year, and being immediately met by a contradiction showing that in the previous year the amount of consumption had increased; I know it is perfectly true that in the year ending 1867, the consumption had increased over the year ending 1866; but it is equally true that the amount of consumption has never again risen to 6,900,000 gallons, and what is more, the increase of the population of Scotland ought to have brought the consumption to 7,900,000, if it had increased according to the ratio of the previous consumption.

2376. You mean, because the population of Scotland has increased by about half a million since the passing of that Act?—Yes, the consumption ought to have increased, whereas, in fact, it has never reached the consumption of the date of the introduction of the Forbes Mackenzie Act; therefore I think I am warranted in assuming, that the closing of the public-houses on one day in the seven, has had the effect of greatly reducing the consumption of spirits.

2377. Mr. Locke.] Are you aware of the increase in the price of spirits in Scotland?—Yes, I am aware that it has increased.

2378. And the duty has risen from 7s. 8d. up to 10s.?—Yes; I touched upon that matter, namely, the reduction in the price of spirits as being one of the contributing causes of this immense consumption of late years, which I am sorry for.

2379. Chairman.] The reduction in the price of spirits other than whisky, in England, you mean?—Yes.

2380. I would ask you, have you considered that, owing to the habit of the people of Scotland of drinking spirits, the diminution of the consumption which was proved before the Forbes Mackenzie Commission is not an exact parallel with the effect of a restrictive Act upon a population who resort to public-houses in a great degree for the purchase of beer?—Only in this point; that as it has diminished the consumption of spirits in Scotland, so, I believe, it would diminish the consumption of beer in England; the same restriction would do so.

2381. Have you considered the effect upon a population whose habit is to consume every day a great quantity of beer, if you pass an Act by which this habit would be, in a very great degree, infringed upon?—I began by stating, what I believe to be the case, that the amount of beer

consumed on Sunday would be very much greater than the amount of beer consumed now upon any other day in the week.

2382. Perhaps you would include Saturday?—Saturday night and Sunday; that the amount of beer consumed by each individual far exceeds the amount that that individual would consume in the ordinary use of every day, even in hard labour; and that therefore it is not a consumption of beer for the purpose of sustaining nature and slaking thirst, but it is the consumption of excess, and of idleness, and of temptation.

2383. That being the habit of a great portion of the people of England, and the restriction imposed in 1854 having given rise to a great amount of complaint, so great that Parliament thought proper to repeal the Act of 1854, do you think that such restrictions as are proposed by this Bill, which would go further than those which were complained of in 1854 and 1855, would be accepted by the people with such an amount of acquiescence as you could hope would enable them fairly to be carried out?—I think you refer to Mr. Wilson Patten's Act; and I am a little disposed to believe a statement which has been made to me somewhat confidently, that the opposition which was made to that Act was not the spontaneous action of the people, but was to a great extent stimulated. I state that only because I believe it. I am not in a position to prove it, but I am very much disposed to believe that the opposition to that Sunday Act was not the spontaneous action of the people. I am led to believe this, first, because the statement has been made to me by persons who were in the midst of the matter at the time, although I was not; but I am led to believe it from facts which are now before my eyes, namely, the very great extent to which the working people of this country are at this moment moving in favour of such a restriction as this Bill now proposes; and I may say that what I am now going to state, are, I think, without exception, facts of which I have been personally a witness, or with which I have been personally in contact; first of all, from the population for whom I am responsible, which, as I described before, is 200,000 of the poorest in London. Within the last two or three months, a meeting was held at Exeter Hall, and most numerously attended, strictly by the working class and their families; and the fourth resolution on that night was a strong expression of sympathy with the Sunday Bill, and a resolution to use all the efforts in their power to promote its passing into law. Consequent upon that meeting, a petition was sent round for signature, and in a very short time there were returned 47 copies of the petition bearing 8,500 signatures, chiefly from London alone. The smallness of that number, I would beg to observe, arises from the fact that the quality of the people with whom I have to do is strictly of the poorest and humblest kind; and perhaps a great many cannot do more than sign their mark, and therefore the smallness of the number is no test whatever of the absence of sympathy with the purposes of the petition. Then further, I may refer to the meeting of last year at the Guildhall in the City, which was attended, I should think, by at least 3,000 persons, of whom a very large number must have been working men, and they were enthusiastic in their desire, and that meeting was held for no other purpose than promoting the Sunday Bill. Again in about November last year, I was
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present at a meeting in the Free Trade Hall at Manchester, which was crowded to excess. I am afraid to say how many thousand persons were present; and of those, I am convinced by the great majority were working men. They were unanimous and more than enthusiastic in their desire for not only a Sunday Bill, such as is now proposed, but for total closing, because I believe the greater part of them were for the Maine Law. Again, last year; this is a point with which I have had no personal contact, but it is notorious; there was a deputation sent from the Leeds working men to London, expressing the same desire for the Sunday closing; and from Manchester also. Indeed, from almost all of our chief towns; and from Liverpool and Newcastle there were the same expressions. Again, I was present this year at a meeting held in Spitalfields, of my own people, who were unanimous in their desire for restrictions far larger than those in this Sunday Bill. Then again, in Manchester, there was a working man's league established for no other purpose (and I have no doubt evidence has been given on Friday upon that point) than promoting this Bill. When I was in Manchester the other day I met the secretary and several members of their committee, who were urgent in asking me to come and attend a meeting of working men sometime in this summer, at Manchester, to promote this object. I have also another fact, which was sent to me within the course of the last two days, and I do not think that it has yet reached the Committee, although it has just appeared in print. There has been a house to house canvass in Altringham, Barrowford, Brierley-hill, Bolton, Burslem, Buxton, Bury, and, in fact, in many other places in the counties of Cheshire, Lancashire, Staffordshire, Derbyshire, Lincolnshire, Yorkshire, and in a part of North Wales; and in this paper there are between 20 and 30 very considerable towns in which there has been a house to house canvass to ascertain what is the desire of this class of persons with reference to the Sunday Bill; and the result is, that 58,803 persons were in favour of the passing of this Bill, and 9,406, that is not one-sixth, were against the passing of this Bill, and 4,443 were neutral. Here we have the evidence of six to one of a class who may be called the working men of the country. The next fact seems to me to be one of greater importance still, and that is, a workshop canvass of the chief factories and houses of business in Manchester, Rochdale, Oldham, Bolton, and the chief towns of the north; and the result is, that of the working men in those factories 4,221 were in favour of the passing of the Bill, 562 only were opposed to the passing of the Bill, and 241 were neutral. The proportion is nearly the same. I think the importance of this is very great, because this canvass was from house to house among the working men, and in the factories where they were congregated together, where the public opinion is very strong, and it requires a strong conviction in a man's mind to declare, in the face of his comrades, in favour of passing such a Bill as this.

2384. Does that number of 4,000 and upwards, in favour of such a Bill as this, represent the aggregate number of workshops?—No, the aggregate number of persons in the workshops; because this is only the commencement of the canvass, and this is the first instalment of evidence sent up; I requested that they would send 0.69.

me evidence that working men do take an interest in the matter, and they have sent me this within the last two or three days; perhaps it may be well just to mention one or two of the cases: here are Hall & McKerrow, manufacturers, Manchester, 174 men, all of them in favour of passing the Bill, one against, and one neutral; another, Parr, Curtis & Co., manufacturers of machinery, in Manchester, 341 in favour of the passing of the Bill, 73 against, and 18 neutral; Richards, Parker & Co., cotton-spinners, in Kirkham, 154 in favour of closing, none against it, and only two neutral; in two other cases there were 62 and 66 respectively, unanimous in favour of it; Walker & Barrett, cotton-spinners, at Kirkham, 235 in favour of passing it, three against it, and two neutral; Cleveland Iron-works, 277 in favour, 67 against it, and 19 neutral; and so on, the others bearing about the same proportion.

2385. Are you aware whether any such canvass has been undertaken in any part of London?—I think not, systematically; I am not aware of the fact, but I have no doubt that it will come. And if I may add to that the testimony of the clergy whom I have under me, nothing can be stronger. The way in which this bears upon the homes of the people, upon the condition of the wives, upon the condition of the children, upon the morals of the whole family, and upon the education of the children, is so direct, and I must say, so disastrous, that I can find no words to overstate it. Every week I hear instances of families entirely destitute, the children without education and without maintenance in consequence of the drunkenness of the father or the mother, or both. And lastly, I may say from my own eyes I have evidence of this, because very near to me there is a court which is capable of holding perhaps 20 or 25 families, in which not less than 80 families are crowded together; there are seven families in a house, each occupying only one room, and a family in each cellar. On Christmas eve last I went round to those houses, and the very first latch I lifted was of a room desolate, cold, and almost dark, and I could see a woman of middle age, dead drunk, lying asleep; that was the first sight. I know that in that court cases such as this which I had before me are not at all infrequent. Here is a man who has been in constant work for six years, and never lost a day's work; he receives 23s. 6d. a week, and his wife often earns 10s., and they have only two children, but that man drinks on Saturday night and Sunday; his home is wretched, and all the furniture in his house is not worth 3s., the children go to no school, and he has no clothes, as he says, to go to church. That, I believe, to be a sample of multitudes of families, and I must say that I believe the cause in a great measure of this misery and demoralisation is simply drunkenness. And again I must add, that the cause of that drunkenness is the excessive facilities and the dangerous facilities which are now afforded to the working classes on Saturday night and Sunday, by which they are drawn from their better resolutions and spend their honest wages.

2386. Then you think that if the restrictions proposed in the Bill were placed upon the buying and drinking of liquor in public-houses, to the extent to which persons determined to drink would avail themselves of the power of purchasing liquor to be consumed in their own houses, it would not produce evils so great as drinking in public-

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public-houses?—I think that if there were a more vigorous execution of the law, it would meet that case, because I quite admit what you have said, that the law may be evaded; and the evasions of that law, as indeed is the case with all laws, may be so extensive that the amount of check upon drunkenness would not be all that we aim at; but, coupled with restrictions such as are proposed, I think there ought to be a much more efficient execution of their duty on the part of the police. Hitherto, I think we have all been aware, from evidence taken before a Committee of the House of Commons, that the police is not sufficiently exact in enforcing the law; if it were so, I believe the amount of drinking, in what I call boosing-places, would be very greatly diminished; and I think that another effect would follow, namely, that the destruction of domestic life and of the families of the poor would be counteracted to a great extent; but a question was asked me just now, upon which I should wish to make the answer which I had intended to make, but did not, because it would have interrupted the subject upon which we then were. There are two things which I feel confident must be tributary to the work which we are about, or we shall not attain what we desire; I believe that one great cause of driving a man to a public-house where he has the benefit of a fire and a clean room, at least, is because the homes in which they live are not fit for human habitation; I cannot use any other words for it than saying that they are not fit for human habitation; this is a question which I know has been brought before Parliament, both last year and in the present by Mr. M'Cullagh Torrens; I do not now pronounce any opinion upon it; I know that there are difficulties in controlling the building of houses, of any class, especially the poorer class, but it appears to me that where houses are built which are neither large enough for the occupation of families, where they are not sufficiently lighted to be kept clean, where they are not sufficiently aired to be healthful, and where there is no provision made for the laying on of water, especially while our water companies supply only for a certain number of hours during the day and not at all for Sunday, which I believe to be the fact; and I think I am not wrong in saying that a Bill is actually before the House of Commons, or will be, on that subject, which I hope may become law; I feel convinced that until the homes of our poor are made fit for human habitation, we shall not counteract the strong temptations to poor men to go and sit by a warm fire, in a comparatively clean room in a public-house; that is one point, and I quite admit that such a restriction as this, taken alone, would only be an inadequate remedy.

2387. What I intended particularly to ask was, whether the persons who are determined to drink would not indulge themselves by buying liquor during the hours when the public-houses are open for sale, and taking it home and drinking it in their wretched houses?—I am afraid so.

2388. So that you cannot hope by this Bill to check that evil?—I think that there is this check. There is no question that a working man when he goes alone to a public-house is entirely without any moral restraint; he loses his own self-control; he has not the eyes or the influence of his wife upon him; the wife, poor woman, is obliged to come and bring him home, probably

drunk, at midnight; but if he were to go to his own home, and carry home the beer which he has purchased, the probability is that he has sufficient humanity in him to share it with his wife, and I believe that a very powerful, salutary, and peaceful moral control would be imposed upon the man and upon his habits. I feel quite sure that anything which will reconstruct the homes of our poor, and induce them to take home that which they now drink in excess in a public-house, and to subdivide it among their families, would have a tendency to produce a large amount of comfort and health, and certainly sobriety. Therefore I am not afraid of its being bought and carried home, although I quite admit that abuse may arise from it.

2389. In respect to the widespread movement, with regard to restriction to which the working classes are parties, and which must be well known to everybody, because I believe it goes on in every part of the country, is not that movement one in the direction of restricting others, rather than to obtain restrictions which would be binding on the persons who are asking for them?—Yes; that is to say, the majority of 6 to 1 here would bind the remaining minority, and would deprive them of a certain liberty which they now possess. I do not deny that; and it appears to me that if there were an absolute suppression of the sale of all drink, which is contended for very strongly by many, and has been practised for many years in some eight or nine of the states of America, I quite admit that there would be a sort of forced limitation upon the unwilling: or if it were like the Forbes Mackenzie Act, a total closing and an absolute suppression of the sale of drink upon the Sunday, there again would be a limitation imposed upon the unwilling, certainly more stringently, but it is not so in this case. In this case anybody may purchase during the hours when the houses are open, and carry away what they want; this they are not denied; they are only denied one thing, the drinking upon the premises during those hours, and that for a good, which I think is so obvious to the public, that the hardship is not great. And when I see that in three or four counties in Ireland the population is spontaneously united under the moral influence of those who direct them to close the public-houses absolutely and entirely, not during certain hours only, but altogether; and that that closing movement is not only the act of the drinkers, but of the sellers, and that publicans themselves have led the way in doing it, I am not at all afraid that such a limitation as this would be adverse to the will of the people. I must make one limitation to what I say. I think that this applies to the whole of England, with the exception of London; and I cannot but admit that the population of London is so exceptional, and its moral condition so exceptional, and, I am sorry to say, its moral condition is the subject of so much precaution, that I should be very anxious if there were an attempt to introduce precipitately a sensible limitation to any great amount. I do not think that what is proposed in this Bill would be such a sensible limitation as would produce a recoil of a dangerous kind; but I would earnestly suggest this. Why should not this Act be made a permissive Act if it cannot be made an Act of obligation? Why should it not be made a permissive Act, so that those parts of England which can adopt it may adopt it? If the House

Commons refuse to make it of obligation, I do not consider that the subject is disposed of. I think it would be a very fair case to try whether it might not be accepted as a Permissive Act, and it would be the commencement of a more general application of the law.

2390. There would be great difficulty in putting in force a Permissive Act in the metropolis, would there not?—I admit that there is great difficulty, because there is a population of nearly 3,000,000 of people, and as I said before, a state which is unhappily well known to be very extensively demoralised. I quite admit that there is great danger in anything which very suddenly touches the ordinary habits of a large mass of men; but this restriction appears to me to be a very temperate one; it is only that liquors shall not be drunk on the premises, and that the houses shall not be open except during certain periods of the day.

2391. Are you inclined to think that the opposition to Mr. Wilson Patten's Act was somewhat over-rated?—I think it was somewhat stirred up; I think that there were the influences of those who were interested in the maintenance of open houses, and that induced the demonstrations which were said to be the spontaneous expression of the feelings of the people; I may be wrong, but that has been stated to me by persons who were at the spot at the time, and who observed the facts.

2392. You perhaps think that public opinion has advanced upon the question since then?—Greatly.

2393. Mr. Yorke.] You stated just now that you thought that if, instead of drinking in a public-house, liquor was taken home, the men would be under some kind of moral restraint from the presence of their wives and families; is it not the case that a publican for his own sake to a certain extent acts as a restraint, because he would get into a scrape if people were found drunk on his premises?—Very imperfectly; there is an amount of excessive drinking which calls short of tumult in a house, and is more easily disposed of, and does not require the calling in of the police.

2394. Is not it the case also that unfortunately the men are very often accompanied by their wives to the public-houses?—I think that that is increasing very much; I think that drunkenness is invading, as I said, the class of women to a very great extent, and also children, as we have seen in evidence in 1853 and 1854.

2395. With regard to this canvass, which you spoke of just now, was that a canvass of householders only, or would it include the lodgers in houses?—That I could not answer; it says here, house to house canvass, but it does not distinguish between the two.

2396. As far as I understand your evidence, I think it would go in your opinion to the length of the entire prohibition of the public sale of liquor at all?—I think I have not said that, and on that point I must say I never have been able to go to that length.

2397. Have you followed the effect of the restrictions which have been already adopted, so far as they have gone?—Yes, as far as I am able; I will not touch again upon the question of Scotland, because the Honourable Member for Edinburgh will do that, and in England I am hardly aware; I can speak to the effect upon my own people of an association which keeps them from

the public-houses on Sunday; that I can speak to, and I can speak to the effect in Ireland; I have here evidence which, perhaps, the Committee will allow me to read in part, because I think it of very great moment; I think this evidence is of great moment in order to show that the people on their part spontaneously desire that some such assistance on the part of the law should be afforded to them, because the ground on which I take my objection is this: I believe that the Legislature, with the best intention of promoting the comfort and welfare of the poor in supplying them with beverage which they thought healthful and necessary for them, has multiplied the facilities and the temptations to drunkenness; and that those poor people, as Mr. Clay, who was for 30 years chaplain of the Preston House of Correction, has said, have over and over again declared to him, that they wished that beer was 10s. a quart, to put it out of their reach; that the working man, if he could only come to the door of a public-house and find it shut on a Sunday, would be content and go away satisfied; I believe that that strictly is the feeling of the people; that their moral control is not sufficient to stand out against thirst, against temptation, against companionship, against being invited, and pressed and carried off on the Saturday and the Sunday; if those temptations were limited they would be willingly content, and I am confident that the greater number of the wives of the working classes, with the exception of a few, who I am afraid do sometimes go with their husbands, with those small exceptions, I say, I am perfectly confident that they would be the first to invoke such an Act as this. In Ireland this has been done completely by the spontaneous act of the people; the Roman Catholic Archbishop of Cashel wrote this to me on the 26th of February 1867: "You could hardly find any better, any more practical illustration of the moral and social, and domestic benefits, to be anticipated from the closing the public-houses on Sunday, than the working of the temperance law in these dioceses; the dioceses of Cashel and Emly comprise nearly the whole of the county of Tipperary and a good part of the county of Limerick, including within their limits the towns of Thurles, Cashel, Tipperary, Fethard, Templemore, Killenaule, Mullinahone, Ballingarry, Borrisoleigh, and several large villages."

2398. To what extent does the restrictive action go in that district?—To the complete closing on Sunday; it is more than the present Bill; it is the complete closing. He says: "It is not in human nature, but that there should be violations of our Sunday Temperance Law; but, considering the large population subject to it, they are very few and very venial, generally not exceeding one or two pints of porter. The exactness of the people in observing the law is really something wonderful. The pledge was, not to get drunk at any time, nor to frequent public-houses on Sundays and holidays for three years."

2399. Chairman.] May I ask, are you speaking of an ecclesiastical law?—This is completely ecclesiastical; that is to say, it is a voluntary and spontaneous compact by the people with their clergy, and with one another. "The tendency of the law all through has been to make temperance a public virtue, and to make men temperate every day in the week, as well as on Sunday. The committals for drunkenness on Sunday,

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which were before very numerous, have become nil. In 'one bridewell every Monday morning there used to be from a dozen to 20 persons for drunkenness on Sunday. Now there is seldom one. For three months not one committal for drunkenness." Then he goes on to say: "The Bridewell of New Birmingham (in the county of Tipperary, within six miles of Thurles) was and is a bridewell for a large district, comprising the Slieveardagh collieries, the workers in which, owing probably to the nature of their occupation, were, before the introduction of our temperance law, noted for habits of intemperance, as they are now for habits of sobriety." The Cashel Bridewell, too, has an extensive outlying district. Committals to New Birmingham Bridewell for offences of every kind, and for drunkenness from 1859 to 1861," which was the date of the introduction of this temperance law—"The total number committed in 1859 was 101, of which 54 were for drunkenness; in 1860 the number committed was 108, of which 44 were for drunkenness; and in 1861, 92, of which 26 were for drunkenness." Then he goes on to say: "In the years 1862 and 1863 I have letters from Mr. O'Kearney" (the Bridewell-keeper, a most intelligent man, in whom the Archbishop of Cashel expresses his entire reliance), "not giving the exact number of committals, but stating that the number committed for drunkenness was less each year and bore a less ratio to the total number committed. In 1864, Mr. O'Kearney was removed from the Bridewell of New Birmingham to that of Cashel, and continued to inform me of the committals for drunkenness. On the 21st of April 1864 he sent me the following return from 1859 to 1863, both included. In 1859, there were committed for drunkenness to Cashel Bridewell, on week days 368, on Sundays 85, total 453. In 1860, on week days 170, on Sundays 35, total 205. In 1861, on week days 143, on Sundays 12, total 155. In 1862, on week days 137, on Sundays none. In 1863, on week days 127, on Sundays none." So that the proportion had declined steadily from 368 on week days to 127, and from 85 on Sundays to 12 in 1861, and the two last years there was not a committal. "In the course of the year 1864-5, I had a communication or communications from Mr. O'Kearney, informing me of a state of things much the same as regards the statistics of drunkenness." That I need not trouble the Committee further with. Then I had a letter from the Roman Catholic Bishop of Ferns, from Wexford; and perhaps I may be permitted to state that the case arose from this fact. During the morning service on a Sunday the Bishop was walking through Enniscorthy, and a young man was carried by him in the arms of two or three others, bleeding; he had been severely if not mortally wounded in a fight arising out of drink. The Bishop then determined to introduce this law, which was an entirely spontaneous act on the part of the people; and he says in his letter: "As might naturally be supposed, there are up and down, publicans who are rather disposed to be restive under the restraint thus imposed on them, and who are kept in order, principally, by public opinion. In the principal town of the county, which is a seaport, some publicans sell spirituous liquors, furtively, to a certain extent; and the same may be said of some two or three localities in the diocese. But, generally, the prohibition of traffic on Sundays

and holidays, is observed with a most edifying and consoling fidelity. In this diocese, moreover, the people, unsolicited by me, have transferred fairs and markets for the holidays; the former to the day subsequent, and the latter to the day previous to the holiday on which they were formerly held"; that was with a view of preventing drinking in the public-houses. The bishop says: "I went to all the shopkeepers of Enniscorthy and I can never forget the promptitude and alacrity with which all agreed to abstain from every kind of traffic on Sundays and holidays; there was no reluctance, no hesitation, no starting of difficulties; a ready cheerful assent was given to a proposal, which might at first have encountered coldness and repugnance." If I may be allowed to add to that, I am perfectly confident that the same would be done spontaneously by a great number of publicans at this moment in London; it was taken in evidence in 1853 and 1854, that a considerable number of them, in various parts of London, were prepared to close their houses on Sunday, but they have all said, and some have said to me: "If I close my house on Sunday and my neighbour's house is open, if I lose my Sunday trade I lose my trade in the week; it is not a mere question of the loss of the seventh part of my profits, for it would be the largest part; but I lose my habitual trade;" and, therefore, what I wish to call the attention of the Committee to is this: that the spontaneous efforts of the people and the publicans to diminish the amount of drinking on Sunday is counteracted by the absence of a law which would make others do the same; and the importance of that, I believe, is not only for the people, but the publicans and their families; and I think I am correct in stating that on a canvass of the publicans of Liverpool, out of, I think, 1,400, 900 or 700 at once declared their desire for some law which would give them at least one day of rest.

2400. Mr. Yorke.] How many days in the year would be included in the word holidays?—About eight days in the year, like Christmas-day and Good Friday in England.

2401. Is it your opinion, that under the existing law, drunkenness is increasing or decreasing in this country?—I believe that it is increasing.

2402. But we have had evidence from several police magistrates and others, to the effect that, in their opinion, it was decreasing?—I think the answer to that is, that the cases which fall under the cognizance of the police, are only those which are followed by a contravention of the public law or the public peace.

2403. Would it not be the case, that the greater the amount of public drunkenness, probably the greater the amount of disorderly people who would come under the cognizance of the police?—Not always; some men are furious, others are not. A great deal of drunkenness, of a perfectly ruinous kind, never falls under the notice of the police by any actual violence.

2404. Supposing drunkenness to increase 50 per cent., would you not expect that there would be some proportionate increase in the cases that come before the police?—Yes, in that case, I should.

2405. So far, the charge-sheets of the police office would be a satisfactory test of the increase or decrease of drunkenness?—Yes, I think so; if it went *per saltum* up to 50 per cent., it would show itself: but it might insensibly increase without the result being very manifest, especially as it

it meets with the strong moral counteraction of a very large body of exceedingly zealous men of every religious denomination in London, who are labouring most efficiently among the working men.

2406. As we have seen, both from your evidence and that of others, that Saturday evening especially is the time at which the greatest amount of drunkenness takes place, would it not appear at first sight that if any additional restriction were to be imposed, it should be on Saturday rather than on Sunday?—That would be my wish, I confess.

2407. If you had your wish, you would have restriction on Saturday rather than on Sunday?—I would not say rather on Saturday than on Sunday, because that mixes up another question. There are a great many moral questions, domestic and personal, which mix in with the Sunday.

2408. You would rest the propriety of the restrictions upon other grounds?—I should rest it on both: and I feel that I may do that, because it would not be for a moment supposed that in the mode of observing the Sunday, I should be animated by any feeling but such as would be of a larger kind, and because of what I am going to add to my remarks about the homes of the poor. I believe it to be absolutely necessary that we should provide for the people some occupations and some recreations on the Sunday, which are rational and innocent. There is nothing I should like to see more than a man and his family going out of London on the only day that he can leave it, which brings to my recollection what I used to see in my youth in the country villages. But it is extremely difficult in large capitals like London; and I feel assured that, until we have done something for our people in a way which will relax and refresh their minds on the afternoon of Sunday, after the week's labour, they will be exposed by necessity to the temptation of seeking some grosser pleasure.

2409. I understand it to be your opinion that no intolerable inconvenience would result except in London, from the operation of an Act such as is proposed?—I do not think that there would; I believe Liverpool, and Manchester, and Leeds, large as they are, are very controllable, and that they have a strong desire upon this subject: but London, I quite admit, is so enormously large that the difficulties are greater; but I am not afraid of this Bill even in London.

2410. You cited, did you not, some cases known to yourself of houses in which the police under the present law, either from connivance or from some other cause, or at any rate the authorities, were unable to control the present illicit traffic in liquor?—I suppose that they are in part evaded. In fact, what I observe is, that whenever a new part of London is laid out all the corner houses are taken, or when I say all, a great number of the corner houses, are taken for public-houses; I believe that those public-houses are like Janus with two faces, that they have two doors, and that while the policeman is watching the one, people slip in and out of the other. I have no doubt that the law is evaded to an immense extent in that and many other ways.

2411. Do you not think that if an additional restriction such as this were imposed the difficulty to the police would be enormously increased?—I am not quite sure; I think the law would come in to the assistance of the police in this case; it

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would give them more to watch in the beginning, perhaps, but the moral habit of abstaining from public-houses would be formed, I think.

2412. Mr. *Evans*.] I think the Committee understood you to say that you considered that the greatest amount of drunkenness in public-houses took place upon Saturday evening and upon Sunday?—Yes.

2413. During what hours of the day do you think, confining yourself to Sunday, that the greater part of the drunkenness takes place?—I think in the evening of Sunday.

2414. It has been suggested by several witnesses who have given evidence before the Committee, that a salutary effect might be produced in diminishing the amount of drunkenness on Sunday if the public-houses were closed on that day at 10 o'clock instead of 11; do you think that that would be the case?—Decidedly.

2415. Do you think that it would make a considerable difference?—Yes, a very considerable difference.

2416. Although you would be in favour of greater restriction than that, still you think that if even only that was done there would probably be a diminution of drunkenness on Sunday?—I do.

2417. Mr. *John Abel Smith*.] Your Grace is head of the Roman Catholic Church in England and Wales; do you speak also from personal authority with regard to Scotland?—No, not at all.

2418. Your position gives you a knowledge of a very large number of people?—Yes, of the working people in London and other large towns in England.

2419. Could you state at all what number of people it brings you into connection with?—I do not know, but I should suppose 1,200,000 or 1,300,000 people; probably it might be more, but cannot be less than that.

2420. And the habits and wishes and mode of life of that large number of people is more or less brought under your eye?—To no small extent.

2421. You have stated that the working classes in England, or a very large number of them, at least, are in favour of the closing of public-houses on Sunday?—As far as I have been able to ascertain from the evidence I gave, and I have not met with any counter expression; I believe that even those who are in the habit of drinking, have a desire to be helped to overcome the habit, and I do not think I can give a better evidence than by reference to a fact which is known, that a very large number of our men come immediately after falling into drunkenness, and ask us to allow them to make a promise to keep away from the public-house; it is a spontaneous act on their part; it is not so much that we seek them. Of course it is our duty to do that, and we do it, but they come to us and ask us to put them under an engagement that they will not do it again. There is the evidence of Mr. Haughton, which I think I may be allowed to refer to, and I think I heard that he was to be examined before this Committee. At all events I may refer to what he said in the year 1853 or 1854. Mr. Haughton stated from his knowledge of the condition of Ireland, that if there were universal suffrage in Ireland there would be a Maine law in a year. I quote that, first, to prove what I believe to be the disposition of the working men in Ireland, and next to say that the men with whom I have to do are those men; that 19-20ths are of the Irish population,

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Most Rev. population, who come over here animated with
Archbishop exactly the same sentiments.

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2422. Do not you think that the desire for the closing of public-houses on the Sunday implies a desire for improvement which ought to be encouraged by any wise Legislature?—Decidedly.

2423. And it is entirely a respectable wish and well-motived wish, which ought to be encouraged and sanctioned?—Decidedly. First of all, I am quite confident that all the better part of the working population desire it upon the most obvious motives; and I am also satisfied that, even men who themselves have fallen into habits of drinking desire to be helped out of them, except a few who have lost their reason; but the greater number of those who, from time to time, fall into habits of drinking, would only be too thankful for any assistance.

2424. In carrying out the Forbes Mackenzie Act there has been no difficulty whatever, has there, in preventing drinking on the premises on Sunday?—It is said that there is a great deal of consumption in back rooms, and it may be so; but the only point on which I have to insist is this: that be the evasions of that law either on the spot or in the houses of the purchasers ever so great, the amount of consumption has never reached the amount before the introduction of the Act.

2425. And you think that there would be no great difficulty in enforcing a law of the same character in England?—I think not.

2426. You have stated that one great cause of drunkenness in public-houses is the miserable state of the dwellings of the poor, and that the temptations offered by a gin palace are directly addressed to the feelings of convenience and comfort of the most suffering part of the population. And their yielding, therefore, to a temptation of that sort is a circumstance which can excite but little surprise?—That is my conviction.

2427. With regard to the inconvenience to be produced by such a Bill as that which has been referred to this Committee, taking into calculation the large interpretation put upon the words Sunday traveller, do you think that the inconvenience produced by such a Bill as this which is now before the Committee, would at all bear comparison with the amount of public benefit which it would confer?—No, decidedly not. I thought when you began your question it might be whether the amount of exception, which is inevitable for travellers, and for those who for legitimate motives will go, for instance, out of London on Sunday afternoon, and whose need of food must be met, would be so large as to destroy the law, because the exceptions would become the rule; I believe not. I believe that granting great excess and even an abuse in evasions and exceptions, nevertheless, the substantive benefit extending over the whole population would be sufficiently large to make this Bill, if carried into an Act, a great boon.

2428. I understand you not at all to wish to see legislation carried out in any such direction as would interfere with the visits to the Crystal Palace or to Richmond?—No; I have not sufficiently considered, perhaps, any details on the subject; but I have a very strong wish to see honest and innocent recreation given to our working people. I believe that when men's minds and bodies have been in a state of tension for six days in the week, it is absolutely, I will say physically necessary, for them to have more

than the simple rest of their limbs. I think they require something that shall cheer life and give them new ideas; but they do not get it. I must say this, and I say it in the interest of religion, that I do not believe that the sharp transition from hard weekly work to the acts of religion on Sunday, unattended by other contributions to their happiness, which I think comes under the greater part of religious charity, is putting them in a fair condition. I think that they want more than they have at this present moment. I must say, frankly—and the only way in which my evidence would be of any use, would be that I should speak with perfect sincerity—I think that the condition of our working people in our large towns on the Sunday is one which requires very careful consideration, and on our part very great tenderness of treatment. I do not think we have done enough for them. In the country, our working people have the fields, and the trees, and the sun; and their children walk with them, as I know from old experience, and I believe that there they have very great mental relief upon their only day of rest; but I do not think that in London, or any of our large towns, our poor working men do get the mental relief that they want. How it is to be given, or in what form, I do not venture now to say. I might only provoke objection, but I am sure we all agree that something ought to be done.

2429. With regard to the restrictions upon the sale of drink generally, is it your opinion that the restrictions already existing have had an influence in reducing the amount of drunkenness; such restrictions as shutting up at one o'clock on Sunday, and other restrictions of that character?—I have no doubt of it, because if on the Sunday afternoon they were open as on the Saturday night I cannot but believe that the houses would be equally full, except that their money had been spent.

2430. And your hope would be that restriction carried further would have the same effect?—I hope so.

2431. And that there would be no hardship in such restrictions having such a result, unless they were carried so far as to intolerably interfere with the convenience and comfort of the community?—Yes, that is my opinion.

2432. You have stated that you think the habit of drinking amongst women to have increased, but you have no statistics at all, have you, to prove that?—No, I have not, it is founded upon observation of a good many facts.

2433. May I ask whether it is the opinion of your clergy generally?—I think so, because drunken mothers are the most frequent cause of the destitution of the children that fall on our hands.

2434. The calamity upon families of drunkenness on the part of the mother is even more sharp and more extensive, is it not, than in the case of the father?—Yes, because young children are absolutely dependent upon the mother in a sense in which they are not upon the father.

2435. Mr. Baines.] You have expressed a strong opinion that the miserable state of the dwellings of the poor is one cause why they resort to the public-houses; may I also ask you if there is not a reaction, and whether you may not, perhaps, transpose the cause and effect, or whether the miserable state of the dwellings of the poor is not caused by the drunken habits of the men?—Undoubtedly.

2436. And

2436. And that to a very great extent?—Yes, to a very great extent; the instance I gave of a man who was earning 23 s. 6 d. a week, and whose furniture in his house was not worth 3 s., is just a case in point.

2437. Are you aware that there are model lodging-houses in what I understand to be in your district of the town, south of the Thames, which have become almost a wreck and ruin, although exceedingly well built within a few years, through the drunken habits of the poor tenants?—I have heard so; it is not in my district; I am confined to the north of the Thames, but I believe what you state to be perfectly true.

2438. We have generally heard it said that persons who are returning to town from excursions on Sunday evening after 10 o'clock require refreshment from the public-house. I wish to ask your opinion whether it would contribute more to their comfort and happiness if at that time of night they went to their own houses than if they went to a public-house?—I have not a question about it; it appears to me that the excursionists are always provided with what they need; either that the place to which they go will supply them, or that they take their provisions with them; and when they return home, and the excursion is over, and the work of the day is done, I think to go to bed is the best thing, and I see no reason whatever for their going to a public-house.

2439. And therefore it would be no privation to them to close the public-house at that time?—No.

2440. The working men, too, would be much better fitted for their labour on Monday morning if they went home and went to bed than if they went to a public-house, would they not?—It is notorious that many working men are unfit for labour on Monday morning through drink on the Sunday.

2441. You have given some striking evidence with reference to the state of feeling in several ecclesiastical districts or dioceses of Ireland; I wish to know whether the agreements to abstain from drinking at a public-house, especially on Sunday, and the closing of public-houses on Sunday, were spontaneous and voluntary, or might they be considered as in any degree enforced by any species of compulsion?—No, they were perfectly spontaneous. The only case in which there would be any animadversion would be when a man committing the fault of drunkenness broke this law and also committed sin. In that case, of course, he would be dealt with as we should deal with all such cases as dealt immediately under our pastoral correction; but in respect to the law there is no coercion whatsoever; it is simply and purely spontaneous, and attended with no penalty or sanction of a penal character.

2442. I understand you to say that you are acquainted by various means with the state of the Irish population in several of the great towns of the kingdom, Manchester, Birmingham, Leeds, and so forth?—I hear often from the clergy of those towns.

2443. I think I may say, without any undue reflection, that the Irish are generally considered as perhaps the humblest or rather the roughest part of the population of those towns?—They are certainly the poorest.

2444. May I then ask if you are confident that

with regard to this population, occupying that social position, we should have nothing whatever to fear from the carrying out of Mr. Abel Smith's Bill with regard to Sunday closing?—My first answer would be, that in last year, at the time I referred to, by a spontaneous act on their own part, I may say they refrained from entering a public-house on Sunday in a very remarkable way; they respond readily to a rule of that sort for their benefit, and I have no doubt whatever that such a restriction would not produce a recoil or a re-action on their part, or anything like a public disturbance. And as reference has been made to the character and quality of that population, I must say one thing, I believe that the Irish working men are tempted into public-houses and habits of drink more from companionship, and from a certain light heartedness and joviality of character than any other race I know of; that they do not set about it with the gravity which we Englishmen show; that I am quite sure of; and that they respond readily to any efforts to correct them, and that they count any man who tries to correct them their true friend.

2445. Do not you think that multiplying temptations to such a race as that, is one of the greatest possible evils that can be done them?—Yes, that is certainly the case; and it seems to me that what I may rest the case on, is this: I think the Legislature, with the best intentions for the working men of England, has multiplied their dangers with respect to all kinds of drink and all forms of consumption of beer and spirits, and what I would earnestly ask is, that the Legislature should retrace its steps, and that it should impose wise, wholesome, and, as I think, benign limits upon that which it has allowed to be so extensively practised.

2446. I think I understand you to speak, not only your own sentiments, but the sentiments of the Roman Catholic clergy in those great towns to which I have referred?—I think so; I have had communication with a great number of them; perhaps as yet the subject is more new to us than it is to others, because our work is very peculiar; it is occupied very much in certain duties of a ministerial character, with very little contact with public acts of the Legislature, or what is passing around about us, not enough so, I think; I think the more we co-operate in large general work the better: hitherto it has not been possible, but now I am happy to say it is very possible. Whenever the subject is brought before our clergy, from their inquiries into the state of children, their mothers, and their houses, arising from drink, immediately they all come to one conclusion, namely, the wish that there were some limitations that would assist us: and knowing that Saturday night and Sunday are the two great times of danger, they desire to see limitations placed upon them.

2447. Mr. John Abel Smith.] They look upon those drinking habits as the great curses of the day?—Yes; I believe that feeling to be universal.

2448. Mr. Hibbert.] You made some observations with respect to the application of restriction to a large number of people of London; I did not quite understand whether your observation referred to Mr. John Abel Smith's Bill, or to the total closing on Sunday?—No; I expressly stated that I do not apply it to Mr. John Abel Smith's Bill; I think that as far as Mr. John

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Most Rev. Abel Smith's Bill extends, it may be safely applied to London: for examples, I gave the Maine Law of America, and the Forbes MacKenzie Law in Scotland, as being more extensive and far-reaching and rigorous; and I should doubt whether the application of those two laws to the population of London would be safe without a progressive approach to them, but I think that Mr. John Abel Smith's Bill is perfectly safe.

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2449. I think that your observations were to this effect, that if a Bill for the total closing was introduced, it would require to be applied in a permissive form, and that you cannot apply it to London without great difficulty?—I think that a permissive Bill for the total closing might be very well tried, if the present Bill were rejected.

2450. With respect to Mr. John Abel Smith's Bill, you think the provisions in that Bill with respect to the liquor to be taken with a *bonâ fide* meal on the premises, meets any difficulties which would arise in the Metropolis?—I do think so.

2451. I do not know whether you are aware of the fact that the Metropolis was the first to introduce a restriction with respect to closing the public-houses on Sunday morning?—I do not remember the fact.

2452. It is a fact that in 1839 a restriction was introduced into the Metropolitan Police Act, and existed for nine years before such restriction was ever brought into effect for the other parts of the country?—That would strongly show the disposition on the part of London.

2453. Might not that show that there is not the great difficulty in dealing with London which some people seem to suppose?—I confess that the opinion which I have given has been given with excess of caution, and it has been, in deference to the strongly expressed opinion of men whom I respect very much, as men of experience; and it is obvious that in doing what we wish to do safely and solidly, so as to last, we ought to do it gradually.

2454. With respect to that observation which you made about the houses of the poorer classes in London, that you thought they were so very miserable and wretched that it almost compelled the people to make use of the comfortable fire-side and the comfortable room of the public-house, do you think that the provision in Mr. John Abel Smith's Bill is sufficient to carry out that idea?—No, I think not. My strong conviction is, that unless the whole subject of the houses of the poor be taken in hand, as I think Mr. McCullagh Torrens is desirous to do, it will have a comparatively small effect; I think that laws for house property extending down to the houses of the poor, would be necessary as an accessory to anything that we tried to do on the subject of the limitation of drinking.

2455. Would it not be the case that, while the houses are in this miserable state, it would entail a considerable hardship upon the working classes if the public-houses were entirely closed for consumption on Sunday?—They have to dwell in them six days in the week, and I do not know that it would increase their privations to exclude them from the public-houses on Sunday, thereby increasing their means of getting better homes of their own; because, if the money is not wasted in the public-houses, they have the means of furnishing and cleansing and making their habitations fit for their families.

2456. Do not you think that if we were to carry the restrictions further, we should carry

the views of the public with us, if we carried out the restrictions in the present manner; that is to say, to restrict the sale of liquors for consumption on the premises to a less number of hours?—It appears to me that if you allow consumption on the premises at all, two things would follow; first, you would have an uncontrollable permission, which would certainly be exceeded; and, secondly, you would draw people away from their homes, which is exactly what we wish now to correct. We want that class of men who would purchase the beer in the public-houses at dinner time or at supper time, to be induced to drink the beer which they may have bought, at home with their families; and I think that to permit the consumption on the premises during those two hours would, in fact, destroy or neutralise the moral effect of the Bill in that particular.

2457. Are you aware that the Committee of 1854 recommended that the public-houses should be open from 1 to 2 p.m., and from 6 to 9 p.m.?—Yes, I am.

2458. And that they came to an unanimous decision upon that?—Yes; they did so; but it struck me, if I may venture to say so, and I have no doubt that the evidence of that Committee is completely in the minds of the present Committee, that anything more complete, more exhaustive of the whole subject, more detailed and more conclusive than the evidence taken in 1853 and 1854, I never saw; and the report founded upon that evidence appears to me to be so wise and so cautious, that I can hardly think that another Committee would have been necessary in the year 1868. It appears to me that there was ample ground for legislation provided by that former Committee; but 14 years have passed, and I think I am right in saying that there have been no steps taken whatever upon this subject, and in that report there are the strongest recommendations upon the subject. I merely mention them historically. First, there was the licensing; secondly, the control of the magistrates; thirdly, the police; fourthly, the disconnection of drinking from all places of public amusement, like music halls, and places of that kind, a matter which I consider is one of the most crying evils, and one of the most terrible dangers of this day, and one which is increasing; for every year we have new places of this sort opened. I refer to concert and music halls, and places of that kind, which are all public places of amusement, and which will become places of great moral danger.

2459. When you refer to Sunday, do musical entertainments take place on Sunday evening in any of the public-houses within the Metropolis?—That I cannot answer; but in the evidence of 1853 and 1854 I remember there were certain facts stated, that in Manchester sacred music was performed in the midst of all sorts of drunkenness. But I was going further to add, that the Committee of 1854 reported in the strongest way for a Sunday closing, quite equivalent to the hours in Mr. John Abel Smith's Bill.

2460. As I understand the report of the Committee, it was the restrictions with reference to the sale of liquors for consumption on the premises, but allowing them to be drunk on the premises between the hours of one and two, and between six and nine; and you are aware, that after the recommendation of that Committee Mr. Wilson Patten brought in his Bill, which was passed in the year 1854?—Yes.

2461. And under that Act I think the public-houses

houses were allowed to be open from one to three and from six to ten, making six hours; are you aware what the result of that Act was?—I believe this was the result, that in the metropolitan district 981 persons less were taken into custody on Sunday during the five months of the Act being in operation, than in the corresponding five months before the passing of the Act; that there was a large diminution certainly.

2462. But Mr. Wilson Patten's Act was repealed the following year, and the present hours were imposed. Has your attention been drawn towards the number of publicans in the Metropolis who now close their houses on Sunday?—Yes; I am happy to be able to complete what I said, because I had not the paper in my hand at the moment. In the Report of the Committee of 1854, it is stated that many publicans in Liverpool, Manchester, and Mary-le-bone in London were in favour of Sunday closing to a great extent, and that in Hackney, Islington, Tottenham-court-road, and Hetherly Tydvil many publicans had closed, and with no loss, and that they did it spontaneously. That was at the date of 1854. I do not know how it may be now.

2463. Do you know whether any large number at the present time in the metropolis close on Sundays?—No; as far as I know, they are frightened one of another. They say, "If I close and my neighbour does not, I lose my trade on Sunday, and consequently all the week."

2464. Do you think that we should get any great number of publicans to close, if the system of six days' licenses were granted to them; that is to say, giving them a license to be open during six days of the week, and closed on Sundays; the license to be granted at a less rate than a seven days' license, on the plan of the cabs' licenses?—I think that the same difficulty would be found with regard to the six days' license that has been found with regard to voluntary closing; that those who sell for the seven days would beat those who only sell for six.

2465. You think that they would be afraid of their neighbours?—I think so.

2466. Mr. John Abel Smith.] I omitted to ask you whether or not you are aware that in the year 1854 the opposition to Mr. Wilson Patten's Act was directed, or was supposed to be directed, as much against Lord Ebury's Sunday Closing Bill as against that Act?—I cannot speak with certainty.

2467. Mr. Malcolm.] Do not you think that as it stands at present, the Bill would interfere largely with that question which you so much advocated just now, namely, the inducing of working men to go out of London, and make short excursions, and so on, seeing that by this Bill they would be absolutely prohibited from getting any refreshment out of London?—I think that is provided for in the Bill, by the word "traveller."

2468. You have referred to some returns from Ireland which show the population; it is a very sparse population, is it not, in the dioceses of Cashel, and so on?—In those three or four dioceses I should not think it was very small; the counties of Tipperary, Limerick, and Wexford are populous.

2469. It is hardly fair, is it, to draw a comparison between a dense crowded city and such a population as that?—I used it in order to show that those for whom I speak would be equally

willing to accept it, and would hail it as a boon; that was the use for which I intended it.

2470. Are you speaking more of the class of Irish workpeople in this country?—Yes.

2471. Mr. John Abel Smith.] Is not the population in the neighbourhood of Cashel the very wildest and the most difficult to govern of any part of Ireland?—Tipperary has an historical name.

2472. Mr. Locke.] With regard to what the Honourable Member has just asked your Grace, if you have the Bill before you, will you have the goodness to turn to line 6, page 2, where it says, "Shall, as respects the sale of the liquors aforesaid when sold for consumption off the premises, be extended to the following hours: that is to say, from half-past two till eight in the afternoon, and from ten to eleven in the forenoon. And as respects the sale of the liquors aforesaid, when sold for consumption on the premises, to the whole of the said days, subject to the following proviso." Then the proviso follows which applies simply to the metropolitan police district. Presuming the application of that clause to the country, that is to say, to the remainder of the country which is not within the metropolitan police district, would it be strictly according to these words, namely, that the consumption on the premises would be restricted to the whole of the said days, do you think that that would be objectionable?—I think not. It excludes only one class. The lodgers, and travellers, and persons *bonâ fide* taking a meal (which is for excursionists), and others, are included here. There is but one class excluded: those who go to drink for the purpose of drinking, without such motive.

2473. But you see that a person lodging, the traveller, the person taking a *bonâ fide* meal at a house can only get their refreshment, and can only take a *bonâ fide* meal within the metropolitan police district; supposing that to be so, would not that clause be very objectionable as far as it applies to the country, because it would deprive the lodger and the traveller of the privilege which he now possesses?—I suppose that the object is not to limit either those who lodge in the house, who may be considered a part of the household, or those who, being travellers, have need of refreshment, or those who take a *bonâ fide* meal in a house, and who go out, not as travellers, but for excursions for the day; what I imagine is intended is this, that inasmuch as in London the great thoroughfares and great outlets will contain houses where travellers, and those who need a meal may call, in all those intermediate spaces in London there are an immense number of drinking-houses of this kind which cannot be classified as houses of call, but merely houses of drink, and the object is to close them on Sundays, without interfering with the others; and it appears to me, that this Bill does so, and that it would not withdraw anything of the rational use of the sale of liquor from the families of our working men, and that they would have opportunities of purchasing during the hours that the houses are open; it would only have one effect, the houses would be closed during the Sunday, with the exception of those hours, against an immense multitude of those who drink, whose habits are not to be justified by any rational motives of necessity or convenience, such as are here specified.

2474. That is within the metropolitan police district; but out of the metropolitan police district, supposing it closed them all for all purposes,

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poses, what is your opinion?—The Honourable Member for Chichester means to extend it, if it is necessary, to the whole country, because that which is considered sufficient as a reason for the exception in the metropolitan district, he would consider sufficient and reasonable elsewhere.

2475. The Honourable Member for Chichester does not say whether he applies the privilege of taking a meal to the country, as well as to the Metropolis; but does your Grace think that the taking of a meal in London is such a provision that it ought to be extended to the country?—I imagine that the object of inserting this exception of the metropolitan district is this, that it extends for 16 miles round London; and it is quite obvious that, if the poor go out as they do on Sunday afternoons, into the suburbs of London, at any great distance they will need a meal, and this Act will not deprive them of it. In the country, the same necessities do not exist. Let me take the great extent of England; towns are only here and there of any very great extent; and going out into the country to take a meal is not what our country people do. They take their meals at home, and they return home again at night, between dinner and supper. On Sunday afternoon they would not go to a house of this nature to take a meal; and if they do, I do not imagine that it is the intention of the Bill to impose upon them a greater restriction than they at present are under. What is intended with regard to the Metropolis, is evidently to apply to persons who do not come under the category either of lodgers or of travellers, but who are sojourners living in their own houses in London, but who have reason to take a meal at a public-house instead of their own houses.

2476. But it would not apply to any person living in the country; that is, supposing he was living at Manchester or Liverpool, or any of those large places?—No.

2477. Does your Grace think that that, at all events, ought to be extended to the whole country?—Certainly.

2478. As I understand you, you say that the two most important questions with regard to doing away with drunkenness, are the state of the dwellings of the working classes, and their deprivation from any description of innocent recreation on the Sunday?—Yes, I think that those are two causes which powerfully contribute to our present state.

2479. Do you think that it would be important that a remedy for those two grievances should be adopted in the first instance?—No, I think not; I think that in order of time this is the more urgent, and I think in the order of moral mischief it is far more vital.

2480. Does your Grace think that, supposing this Bill were passed into a law at once, a great inconvenience would not be felt by those persons who now live in such miserable dwellings, and who, I think, as you say, are induced to go into public-houses because their homes are extremely uncomfortable; would not that add to the inconvenience which they now endure?—I do not think that the word inconvenience is one which I used; I said, I think, that the bright fire and the comparative cleanliness of a drinking-house is a temptation to a man to desert his home and his family; I do not think that those houses are to be treated as the supplement to bad dwellings; but I think they form a strong temptation to men whose dwellings are

bad to leave them, and to leave their wives and children to inhabit them in their miserable poverty; it appears to me that to share in the poverty of his family would not be unwholesome to him; I do not think that ought to be a subject of complaint by a father or husband.

2481. But this would add to the inconvenience, would it not, supposing they go to those public-houses, and do not commit any excess?—I would not use the word inconvenience; I would adhere to what I said at first; I think that they would be relieved of a temptation which is in a very great degree ruinous to their families and to themselves.

2482. If they live in those miserable places, where are they to go to?—Six days in the week they inhabit them, and their wives and children seven days; and it appears to me that a house which is sufficient for a man's wife and children he ought not to judge as insufficient for himself.

2483. But he is not at home generally during the six days, in the day-time, is he?—No, but his wife and children are.

2484. Supposing he has no wife and children, what then?—In that case the privation does not, certainly, fall upon any other person.

2485. But he must be worthy of some consideration though he has no wife and children?—I should be happy to see his home made better.

2486. Where is he to go to get his meals, supposing he is living in lodgings without any wife at all?—In the case of unmarried workmen, their meals, I conceive, are provided by arrangement, either with a neighbour or with some eating-house keeper, and therefore I do not think this would press hardly upon them.

2487. Mr. John Abel Smith.] I presume they do not eat in the public-houses?—No; the public-houses are not the places where they have their meals.

2488. Mr. Locke.] In those eating-houses they take beer, do they not?—I do not know that the Bill would affect a man *bonâ fide* taking a meal in any house, I think not. If my memory does not fail me, that clause was inserted in order to meet a class higher than the working man, because there is a very large class, and I believe a very honourable class of legal students, who take their meals at some house of this description, and it was intended to include this class, and it would meet their case.

2489. Therefore it is more necessary that that provision should be extended to all large towns throughout the country?—Yes.

2490. You stated that the sale of drink is less limited on the Sunday than that of any other article. There are certain articles sold on that day, are there not, without any restriction; for instance, by pastrycooks, in fact all those things which are called necessities of life?—I was thinking of bread and meat, sold by the butcher and the baker.

2491. But places for refreshment, such as pastrycooks' shops and so forth, are often open longer than public-houses?—I think they are.

2492. And tobaccoconists' shops also?—Yes.

2493. You meant bread and meat?—Yes, which appears to me to be the most urgent, because it is the most substantial need of men, and the least open to abuse.

2494. You said that on St. Patrick's day there was a great diminution of drunkenness, and that you attributed, I think, to the influence of persuasion

suasion and good advice on the part of the Roman Catholic clergy?—And to the spontaneous action of good motives on the part of the people; if it had not responded to most heartily and universally by the people our efforts would have fallen dead.

2495. Do not you think that that is a mode of inducing persons to give up drunken habits which is more calculated to be successful than direct coercion?—I think that both moral and legislative means, voluntary and coercive, are required, because I have before shown you how voluntary efforts are counteracted by two things; in respect to publicans, if we induce any publican voluntarily to close, and his neighbours keep their houses open, it renders it impossible for him to live; it is his ruin, and the moral evil is not limited in extent. In respect to drunkenness, so long as the facilities for drinking, and therefore, as I say, the temptations to drinking, are multiplied to so great an extent, I believe that all our persuasion extends over a very small part of the great field, and that the evil is of a magnitude too great to be controlled by us; and we must have the assistance of the Legislature in doing what I described before as retracing its own steps.

2496. With respect to the Legislature; what are the steps which you think the Legislature has taken which have tended to increase drunkenness?—Speaking in submission to the Chair, I must say that the whole state of the licensing law has in the most formidable way multiplied houses for drinking everywhere, and that the facilities with which licenses have been granted is enough to account for our present state.

2497. That is not exactly the act of the Legislature, is it?—It is under an Act of Parliament.

2498. It is under an Act of Parliament, but it is left to the licensing magistrates?—Yes; I think that the large power so left to them rather needs another tribunal. I must not go too far, under correction, but it needs, I say, another tribunal, which cannot be influenced either by local or political considerations; and I think it needs a control on the part of the magistrates in boroughs and counties which shall be efficient, and the entrance of the police upon all such houses. Those things, I think, have not hitherto been done adequately by the Legislature, and I think, therefore, that the Legislature has to retrace its steps in those particulars.

The Reverend NEWMAN HALL, called in; and Examined.

2505. *Chairman.*] You are Minister of the Independent Church in the Blackfriars-road, are you not?—It is not exactly an Independent church; it is called the Surrey Chapel; Rowland Hill's Chapel; it is more a free Church of England.

2506. Are you aware of the measure proposed by the present Bill?—I am.

2507. *Mr. John Abel Smith.*] You are very largely acquainted, are you not, with the habits and wishes of the working population on the south of the Thames?—I am.

2508. Do you believe that there has been of late years an increasing desire to see further restrictions upon the sale of beer and spirits on a Sunday?—Most certainly.

2509. Are you acquainted with the Bill which is referred to this Committee?—Yes.

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2499. Are you aware that the licensing Act is a very old Act indeed?—Yes, I know it is an old Act.

2500. It is an Act of the 9th of Geo. 4; so that, in point of fact, the Legislature has not done much lately in that direction?—No, the evil is of long standing.

2501. You were asked a question by the Honourable Member for Leeds, with regard to the houses of the working classes, whether they had not got, many of them, into the dreadful condition in which they are in consequence of the drunkenness of the inmates; that could not apply to the fabric of the house, could it?—I can hardly limit it so far; because, to begin with the staircase, it is often broken and hardly safe; also the doors and windows, the wood-work and the furniture of the houses are destroyed in times of drunkenness or sold for drink; even the wall is defaced, and often the whole house reduced to a condition not fit for habitation. All this comes from drink.

2502. Is it not the fact that the house itself from its size, the smallness and wretchedness of the rooms, and the very small quantity of air which can circulate within those rooms, without reference to its furniture or its decorations, or anything else, is frequently altogether unfit for the habitation of persons, though in point of fact they do live there?—I believe that in some courts at the back of our richest houses in the West End, as well as in the courts near Rosemary-lane, Tower-hill, and a great many dwellings on the south side of the river, they are not fit for human habitation.

2503. The Bill which you allude to, and which I have the honour of having my name on the back of, namely, Mr. Torren's Bill, is directed to the doing away with those very fabrics?—Yes.

2504. But so long as they exist the grievance must exist, must it not, with respect to the working classes; for, however well they may conduct themselves in those houses, they are not fit places to dwell in?—Certainly; but I must press once more that the argument that the public-house is an alleviation to a poor man and a supplement to his bad dwelling is not to be accepted; because his wife and family are doomed to inhabit those houses, and a father and a husband is bound to consider a habitation that is sufficient for them to be sufficient for himself.

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2510. Do you believe generally that it would be received with anything like disorder or confusion on the part of the working population that you are acquainted with?—I do not know what the publicans might do, but if it were not for the publicans I am sure that it would be received with thankfulness.

2511. You were in the chair, were you not, at a very large meeting of working men in Lambeth some weeks ago?—I was.

2512. Were there 2,500 or 3,000 persons present at that meeting?—I should say quite 2,000 men.

2513. And almost completely working men?—I should think there were about 2,000 working men besides some few women, and a few of other classes; but I should think more or less there were about 2,000 of the working men of that district.

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2514. And

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2514. And was the feeling of that body of men zealously unanimous in favour of further restriction?—Most undoubtedly.

2515. Have you any doubt that the existing restrictions have worked usefully, and that there ought to be some restriction on the sale of beer and spirits?—I believe that every restriction is beneficial in proportion to the direction and the extent to which it goes.

2516. And that restriction might be carried further usefully to the people, and without any formidable resistance on their part?—I think that every restriction would be beneficial, but that a moderate measure like this would be carried without any trouble or resistance unless the publicans, as before, were to organise a system of riot which they could easily do, but if the working people were left to themselves I am persuaded that they would receive it as a boon from the Legislature.

2517. I presume there would be a strong feeling on the part of the wives in favour of any restriction?—I should say that the women would be unanimous in favour of restriction.

2518. Have you heard the evidence which has been given by Archbishop Manning?—Partly.

2519. Do you endorse his opinion, that drunkenness is increasing amongst women?—I am not able to say; my personal knowledge of the facts would not warrant me in drawing a general conclusion; I see many instances of drunkenness amongst women, but I am not able to say whether it is increasing; the prevalence of it is very sad.

2520. Have you any statistics to enable you to speak with authority upon the actual increase of consumption?—I have not, but such evidence will be forthcoming in the course of this investigation.

2521. Has there been any canvass of any district of London with which you are acquainted?—A canvass is now going on in London in the neighbourhood of Poplar and Limehouse, up to the present time, and I am informed just now that there is a majority of two to one in favour of total closing; the figures are to be obtained, and they will be brought forward in the course of this inquiry; I have also just had put into my hand the result of a canvass at York; the number of houses in the city being 8,000, the number of houses visited being 7,155, the schedules returned affirming the principle of total closing being 5,390, against 707 negative, and giving a proportion of $7\frac{1}{2}$ to 1 in favour of total closing in the city of York.

2522. Have you any doubt that the opinion in the country with reference to further restriction has been making large progress within the last few years?—Very great progress I think, indeed.

2523. Do not you consider that a feeling which ought to be very respectfully treated by the Legislature?—Certainly, because it is a feeling amongst the very working classes who no doubt will be very much pressed by the restriction, and yet they themselves are those amongst whom the desire is spreading for further restriction.

2524. Do you recollect the opinion expressed at the meeting in Lambeth to which I have alluded, with reference to the question of considering the public-house the poor man's club?—They repudiated the notion altogether.

2525. On the ground that the public-house was not under their own control?—That a public-house was a public place, whereas a club is a

private place for the members of the club. They regard it as absurd; such an argument is brought forward by those who must know very little what a public house is.

2526. As an excuse?—As a mere excuse; they themselves repudiate it most entirely. I may say that that meeting was entirely open; there was no attempt whatever to pack it; the doors were never shut. All were received without any ticket; persons knew that they might all express their own opinion; and any amendment might have been proposed; it was a meeting called in the very densest part of South London, and crowded with working men; it is not to be supposed that those men were teetotallers; many of them were no doubt, but the whole meeting was entirely in favour of closing on Sunday.

2527. *Chairman.*] Do I correctly understand you to say that the notion of a public-house being a club to working men is repudiated by the working classes at large, or that it was repudiated by the meeting called for the purpose of closing public-houses?—It was repudiated at that meeting. It was a meeting called to consider the question of closing; it was not a meeting called for the purpose, as I understand, of advocating and supporting the measure, but of considering the measure so that we might have the genuine expression of opinion from the working men of South London. It was quite open to anyone to try to turn that meeting into a meeting to petition for further extending the hours of drinking rather than for closing the houses.

2528. *Mr. John Abel Smith.*] Do you believe that that feeling extends to Southwark and other districts lying on the south of the Thames?—I believe it is very extensive in Southwark and Lambeth.

2529. Do you recollect Mr. Wilson Patten's Act in 1854?—I do not remember, personally, much of it.

2530. You do not recollect the circumstances that attended its being passed?—No; I am not able to give evidence upon that subject.

2531. Do you know anything of the state of feeling on the subject of further restriction out of London?—Not distinctly; but as far as I know, and I visit the country a good deal, I should say that the feeling of the working people generally is in favour of restriction on Sunday.

2532. Are you not largely in communication with other ministers in the country?—Yes; but I cannot speak positively.

2533. But your impression is that it is so?—Yes; I was appealed to only on Saturday as I was returning from Yorkshire; one of the porters at Milford Junction station appealed to me, fearing that I had expressed myself as though I was not in favour of restricting laws in this country, because I had said something with reference to the working of restrictive laws in America, and he seemed most earnest about it, that I, and such as I, should advocate the cause of restriction. I was struck with the zeal of this man, who addressed me as he was looking at the tickets.

2534. You did not know him before?—No, I did not know him at all; he knew who I was, and he appealed to me, fearing that I was not in favour of that which he and his class evidently seemed so much in favour of. I took that as indicating the desire of his class to see further restriction.

2535. Speaking with that authority which you

you naturally do, first of all as a minister of religion, and secondly as one commanding an establishment of a very large body of men, do you give your sanction to the Bill now before the Committee?—I should most earnestly hope that this Bill will pass into law.

2536. And you do not believe that such inconvenience as is of course incidental to every restrictive law, is to be put against the large public advantage which it would confer?—Not for a moment; of course there would be some inconvenience; but every useful law might be prevented if it is a valid argument that some inconvenience will result. The balance of benefit can have no question of at all; and I believe that every class in the community would admit that, after it had been working a little while.

2537. You heard, probably, what Archbishop Manning said as to the state of the habitations of the poor?—Yes.

2538. I presume that it is hardly necessary to ask you whether you agree in deploring the lamentable condition of those habitations; but do you not think that drinking has a large effect in compelling those people to have recourse to those habitations?—A man who drinks, in proportion as he drinks, goes down from one mode of dwelling to another, until he gets to live in the very worst and vilest hole; and when he becomes a temperate man, the very first thing he does is to provide himself with a better lodging, and that is invariably the case. If a man takes the total abstinence pledge, and keeps it, in three months you will not find him at his former address. The best institution for improving the dwellings of the poor is the total abstinence pledge.

2539. Have you ever been in the habit of walking down the great thoroughfares in Lambeth on Sunday evening?—I am there constantly, and I was there last night.

2540. There is a great traffic in the public-houses on Sunday night, is there not?—An enormous traffic. Any gentleman may inform himself of the state of things on a Sunday night by crossing Westminster Bridge between eight and nine o'clock, and, going along Westminster-road, he will see thousands of young people in bands, and the public-houses and gin-shops at the corners are all open, and tempting those young people. The clerk of my church some time ago saw six or eight young lads in front of a gin-palace on Sunday evening. The eldest had got some gin out of the place, and he was pouring it into a little glass and handing it round to his companions. I consider that public houses being open on Sunday night, when the masses of the population are turning out, to be most incalculably injurious morally, and that there can be no wonder at the prevalence of licentiousness when we have those places open for drinking at such times.

2541. Do you endorse the opinion which has been expressed by so many witnesses, that an immense proportion of the crime of England arises directly and indirectly from drunkenness?—There can be no question of that; our judges gave that testimony, and I endorse it myself most certainly.

2542. Mr. Baines.] Have you ever heard any complaint made amongst those whom you have mentioned, of the existing restrictions with regard to the opening of public-houses?—I never heard such a complaint made either privately or publicly.

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2543. Perhaps you are aware that there are restrictions, and considerable ones, which have been imposed by your law since the year 1831?—Yes.

2544. Up to 1831 the public-houses were open 24 hours, namely, from four o'clock on Sunday morning until four o'clock on Monday morning; but since that time they were reduced to 15 hours, and since then they have been reduced to eight hours; and I wish to know whether you have ever heard any complaint made of the operation of those existing restrictions?—I never hear of such a complaint.

2545. If you were told that the number of cases of drunkenness had diminished at the same time that those restrictions were passed, would you think it likely that further restrictions would cause a diminished number of cases?—I should be certain of it. Every restriction of public-house traffic is followed instantly by a diminution of crime.

2546. From what you know of London, should you think that there is any necessity on the part of those who have been in the country during the Sunday and are returning home again, for the public-houses to be open after 10 o'clock at night?—Certainly not. There are eating houses where persons can get meals if necessary; but I think there is no necessity whatever for the public-houses to be open; there might be some little inconvenience, but the injury connected with their being open far preponderates.

2547. Do you believe that it would be better for working men in regard to their health and to their circumstances, and to their families, that they should go home not later than 10 o'clock on Sunday night, than that they should go to a public-house?—There cannot be a question about it. We know that a great number of men are not fit for their labour on Monday; and many a job has to be done, but the master cannot get it done, because the men are not fit for working, and Sunday, instead of being a day of real rest and preparation for a new week, is a day which in many cases unfits men for their ordinary work as well as deprives their families of that which should be the result of their work.

2548. Does it further induce men to get into that unsettled habit which leads them to prolong their debauch, and to renew it on Monday, and go on through the week?—Of course it has that effect.

2549. Would your experience, as a minister of religion, lead you to say that Sunday drinking is adverse to the interests of religion amongst the working population?—Undoubtedly, in this way; first of all, it is frequently an invasion of religious liberty; the wife may wish to go to a place of worship, but her husband drinking on Sunday prevents her continually; the drunkenness of the man interferes with the religious liberties of the woman; I have frequently had women tell me that they had not been able to come to church till their husbands had become teetotallers, for while they were drinkers they would persecute them if they were not at home all day, or if they found them going to a place of worship. In the next place, of course, it is a great counter-attraction to the church; some people think religion is very important; some think that the State should support it at a great cost, and others feel that the greatest privilege they have in their power in respect of money is to support religion and churches, and so on; but

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the greatest impediment to the progress of religion amongst us, is the influence of the public-house; any one may see that the working classes are there neglecting public worship; they may be seen crowding round the door of the gin palace at one o'clock; those have not been at church at all; and if you go in, as I have done, or look into the door of those gin palaces on Sunday, you will see persons of the very class, whose absence from church we lament, crowding those places.

2550. Do you think it right that whilst other trades are suspended on Sunday by law for the general good of the population that that trade, which is considered the most pernicious of any one, inasmuch as it presents so much temptation to immorality, should be left free?—In reference to legislation I am strongly of opinion that the Government has nothing to do with the religious convictions of the people, and that they in no degree should impose a religious duty nor deprive people on the ground of any religious precept of their rights; but I think that a Government has a perfect right to legislate for the social well-being of the population, and the Government of this country has recognised that principle; it has legislated for the social welfare of the people, and has prescribed a day of rest, and a man has a natural right to do as he pleases with that day. For my own part I may have my opinions of recreation. I consider that a religious person finds the highest recreation and the healthiest recreation in religious exercises, but I would not for one moment by legislation hinder other kinds of recreation in the case of those who are not capable of enjoying those which I think the best recreation, supposing it does not interfere with the rights of other people. If the opening of places of amusement interferes with the equal rights of others, and necessitates the employment of a number of doorkeepers and attendants, hindering them in the enjoyment of their equal rights, imposing labour upon them, and keeping them from the House of God, I should say that impartial legislation would not sanction the providing of recreation for people if such providing recreation for one class of the community would impose Sunday labour upon another class. On that principle, and on that principle only, would I act legislatively, and not because of my principles of religion. I would not by law deprive people of any recreation that may not involve the invading of the liberty of others.

2551. You consider, as I understand you, that Sunday drinking is excessively adverse to the domestic comforts of the female part of the population, the wives of the working men?—Certainly. If you will allow me, I will answer that question presently; but I had hardly finished my answer to the former question. The Government has recognised the principle of legislating in connection with one day in the week for rest, and it seems to me that if other trades are interfered with, so that they are suspended during that day, that trade of all others should be included in such restriction which of all others is the most pernicious, which all persons tell us is the chief cause of crime, of poverty, of insanity, and of suicides; and surely that an exception should not be in favour of that particular trade which of all other trades is most injurious to the population at large, and their social interests.

2552. Do you consider the habit of Sunday drinking to be especially adverse to the comfort

and happiness of workmen?—I think that Sunday drinking has special evils. In the first place, men are at leisure; and in the next place they have money, that they have received on the Saturday, and then an opportunity is presented to those persons, and therefore it is not surprising that they should drink a very great deal on Sunday. Sunday drinking deprives the wife and the children of much money which otherwise would go to the comfort of the household; it interferes, as I have already said, with religious liberty, and religious life of the women, who are frequently, by their husbands drinking on Sunday, prevented from being at the House of God. The husband ought to take his share in attending to the little children, that the wife might come to church; but as it is, the wife is left at home, and therefore prevented altogether from doing so. I have known cases in which for years women have been prevented going to any place of worship, because their husbands have been spending the Sunday in drunkenness, and their money also.

2553. Does it operate upon the food, clothing and education of the children favourably or unfavourably?—Most unfavourably. We have always discovered that in the case of the children who attend the Sunday school. Although it may be the case that Sunday school instruction is of a very inadequate character, and there are some persons who look with some degree of contempt on Sunday school instruction, yet I am able to say that there are many poor children in Southwark and in Lambeth who would not get any instruction except for the Sunday school, and who would never learn to read. We have got some children who, in consequence of being deprived of other privileges, and having to get their own living by the exercise of their wits, have such marvellous wits, that by an hour or two's instruction on Sunday, in a few months they pick up the elements of reading; but the children who are most irregular at those Sunday schools are the children of drunken parents. That is the experience of all those who instruct those children, and those children who are ragged children rambling about the streets for whom it is necessary to provide gratuitous instruction, almost leading people to wish to have a law compelling them to go to school, will be found in nine cases out of ten to be the children of drunken parents; and drunken parents are made more drunken by the facilities of Sunday drinking.

2554. Have you large Sunday schools connected with the Surrey Chapel?—Yes, very large; we have 13 schools in the district round about, with about 5,000 poor children or more perhaps, taught by about 450 voluntary teachers, all of whom feel that this Sunday drinking is in direct antagonism to their benevolent labours, and they work unpaid and with very little praise.

2555. Have you ever heard them say that by the habit of Sunday drinking, by the public-houses being open, and by the presence of temptation on Sunday evening, young persons whom it is specially desirable to retain longer in their schools are seduced away from them?—I have often been told, and I have seen statements which I cannot doubt, that very many children, who have been instructed at the school during the day, are beguiled into those public-houses on Sunday evening.

2556. Have you several agencies for the moral and

and religious improvement of the people who live around your place of worship?—Yes, a great many.

2557. Are they of the nature of city missionaries, or of what nature are they?—We have four city missionaries connected with my church; we have a missionary specially devoted to the interests of the working men of South London, and we have a series of meetings of various kinds, such as free concerts, secular lectures, tea meetings, and various entertainments, to serve as a counter attraction to the public-house; but in all these efforts we find that the facilities afforded to the population for drinking are such that they interfere with every effort that we put forth to elevate the people around.

2558. Will you state to the Committee whether you have heard the testimony of the agents whom you thus employ for the improvement of the moral and spiritual condition of those around you, upon the subject of Sunday drinking; can you speak as to their opinion generally upon the subject of Sunday evening drinking?—I can speak most emphatically of the universal testimony of all persons engaged in that work; anyone here or elsewhere who would undertake to devote two or three hours on the Sunday to elevate the people, socially and intellectually, just to raise them up from their degraded condition, and endeavour to do them good by personal effort, would at once find the great antagonism of this Sunday drinking, and would at once feel the importance of such a movement as this.

2559. Mr. *Hibbert*.] Do you approve of the Bill which is now before the Committee in its entirety?—Yes, quite so.

2560. The principle of the Bill is to close the public-houses for drinking on the premises entirely, except in the Metropolis on certain conditions; do you approve of that principle rather than the principle of restricting the hours of allowing liquors to be drunk on the premises as at present?—Yes; I quite approve of the principle of the Bill, and I quite approve of allowing the liquor to be taken to people's homes when they desire it, and feel that they require it, to be drunk off the premises.

2561. You think that that is better than allowing the houses to be open at all for consumption on the premises?—I think so.

2562. Mr. *John Abel Smith*.] In your opinion is it better to close the houses altogether for consumption on the premises, or to confine the Bill to limiting the hours now existing; that is to say, to allow the premises to be open a certain number of hours for consumption on the premises as well as for purchase, to take off the premises?—I think it is very important to close them entirely for consumption on the premises; I am strongly in favour of allowing persons to obtain drink to carry home; I think it would be going too far at present to deprive the poor of that privilege; it would cause a reaction which perhaps might destroy the good intention of the Bill; but I am quite in favour of entirely closing the public-houses so far as drinking on the premises is concerned; there is very great danger in drinking on the premises; men provoke one another, and although there would be, of course, some excess of drinking at home, the temptation is not nearly so great as when they provoke one another and treat one another under the stimulus of the public-house.

2563. Mr. *Locke*.] You are aware, I presume,

that under the present law the public-houses can be open during eight hours on Sunday in the Metropolis, and 8½ hours in the country; do not you think that if you close them entirely for drinking on the premises, and merely allow them to be open for a short time in the middle of the day, and a short time in the evening, for the purchase of drink, to be drunk off the premises, it might lead to a sort of re-action in public opinion against the change?—I do not know what the publicans might do in the way of organising opposition; they are very powerful, and they can make an uproar. A publican said to me the other day that 50 of his customers, working men, would give a vote for any man for an extra pot of beer round; and I believe that the publicans might combine, and with their great influence over their customers, and especially if they treat them with a pot of beer round, they might get any demonstration in Hyde Park to insult the Legislature of this country, and try to terrify them into repealing a useful law; but if the people were left without the influence of an organised opposition by the publicans, I should have no hesitation whatever to believe that the working people for whom this measure is proposed would very thankfully accept the change in the law. Many men have said to me of those who go to the public-house on Sunday, "You may tell us that we ought not to go, but so long as it is open, and we have money in our pockets, and our companions are in the way, we do not feel able to resist, but if you would only shut those houses up for us on Sunday, we should be very much obliged to you."

2564. Mr. *Hibbert*.] Do not you think it would be wiser for the Legislature to pass such further restriction as they would be able to retain, than to pass a law for a greater restriction, which might have to be altered in a very short time afterwards?—I am perfectly aware that what is abstractly desirable in point of legislation, may not be practicable, and therefore legislatively it may not be desirable, because it would be going too fast; but I think that this would not be going too fast; the proposed Bill, I believe, could be carried out very effectually. I do not say that there would not be at first an organised opposition, perhaps to the law, but if the Legislature were firm, in the course of a very few months things would settle down, and the whole nation would be benefited.

2565. Mr. *Malcolm*.] I gather from your evidence that you would like, if you could enforce it, to have entire restriction, in fact, to close the houses altogether on Sunday?—In the present state of the question I do not know that I should. I think it is a useful thing to allow the drink to be taken to people's houses, as there are a number of persons who feel it necessary for their health, or at any rate for their comfort.

2566. You think it impossible to teach the working classes self-restraint, without what I may call paternal legislation, because it practically amounts to that?—I would not have paternal legislation exceptionally, but as we have paternal legislation with reference to drapers' shops, I would have the same paternal legislation with reference to that which to multitudes is absolute poison, or an incentive to crime.

2567. You gave the Committee an instance of some one who spoke to you upon this subject at the Milford Junction, and you argued from that that it was the opinion of that class; do not you think

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think that that is rather a small premise?—Very small.

2568. It is rather arguing from a particular to a general conclusion?—But I have so many of those particulars, that that was only an illustration amongst a good many others; by itself it would be a very poor argument of course.

2569. The other instance which you gave, and which was a very curious one, too, of a young man bringing liquor out of a public-house, and supplying his comrades with it in the road, I am afraid is a case which would not be met by this Bill; in fact, it would be exactly the thing which could happen under this Bill, and several of the police authorities who have given evidence before this Committee have rather objected to it in consequence, because it might lead to drinking off the premises in the neighbouring street?—I am not able to give an opinion upon that. I may also mention, with regard to the opinion of the working people, in some degree to support my single witness, that meetings in the open air are held in my neighbourhood in the New Cut, and so on; and they have frequently been appealed to as to their opinions of the propriety of closing the public-houses on Sundays, and those audiences gathered promiscuously from the crowd have always been in favour of closing the public-houses on Sunday.

2570. Mr. *Baines*.] Do you say that of your own knowledge?—I said that with the information of my friend Mr. Murphy, who is connected with me in holding those meetings. I have been the organiser of those meetings, and although I have never happened myself to appeal to a crowd of that sort, I know as a fact that they have been appealed to.

2571. Colonel *Fane*.] You have stated that there has been a house to house canvass carried on to a considerable extent; there was some very valuable evidence given here by a gentleman on Friday, who was in favour of Mr. Abel Smith's Bill, namely, the Mayor of Birmingham, and he held that a house to house canvass was not to be relied upon the least in the world; do you indorse that view of his?—My information has been given me, and I am not able personally to give evidence as to the nature of the canvass.

2572-3. He was asked, "Has any canvass been made of this town with respect to that?" and his answer was, "Yes, canvasses have been made, but I am not at all prepared to say how far they are reliable, because they were made by persons who entertain very strong views upon the subject. The result of the canvass, I believe, was very strongly in favour of such restrictions. Q. Would you distrust the figures?—A. I always distrust evidence where there is very great zeal." Do you indorse that view?—I believe that those statistics are being prepared with great honesty of purpose; I am of course quite aware how it is possible through great zeal to represent matters according to your wishes, without any intention to deceive, and therefore I should be very careful as to the mode in which those statistics were obtained.

2574. But very zealous persons who take a peculiar view of any particular question would be rather inclined, would they not, to see every answer in a very favourable light with respect to their own view?—I should always be disposed to take off a little per-centage on each side; I may also mention, as another single witness case, that petitions were lying in the public-houses a little

time ago against this measure, and one of Maudsley's men, in my neighbourhood, was asked to sign a petition, and he said, "No, I will not; if your place was shut up I should save 4 s. every Sunday."

2575. Mr. *Locke*.] He was a man who probably could not restrain himself?—Yes, and unhappily there are many such.

2576. But there are persons who can, are there not?—Of course there are.

2577. Do you think that the persons who cannot restrain themselves are the majority?—I am not able to say that they are the majority; there are a great many who whilst the public-houses are open on Sunday feel that they cannot refrain from going into them, and when they are there they very often spend more than they should spend; and they say that they should be very glad if those places were closed, that they might not be exposed to that temptation.

2578. The question is this, is it not: whether in legislating for this class of people, who cannot exercise self-restraint, you are not inconveniencing a vast number of people who can, and who would consider themselves to be deprived of a privilege which they had a right to enjoy?—On the contrary, I think you are legislating for the latter class; the decent people are annoyed by the drunkenness of those who frequent those places; in my own house, on Sunday nights, I am annoyed by crowds of people who have been at the public-house till 10 or 11, going home singing and making a noise in the streets, and it should be a question whether decent Sunday-keeping people are to be preserved from those annoyances.

2579. Are there not a great number of decent persons who would wish to have the opportunity of going into a public-house to take some refreshment within the house on a Sunday?—I think there are very few decent people who would like to go, or, if they went, to be seen in gin palaces or beer-shops merely for the purpose of getting some drink on Sunday, apart from a necessary meal.

2580. Are you aware that this Bill would apply to all licensed houses whatever; that it would not be confined to beer-shops and gin palaces, but would affect every description of house throughout the country, as, in point of fact, the present Act does?—I think it would be very fair to do so; I think that there should be no partial and exceptional legislation; I think that the inconveniences would be very small; orderly persons generally are able on that day to have their drink at home, if they wish it, and they would be very glad to have greater peace and quiet in the streets and neighbourhood, and diminished poor-rates to pay.

2581. You do not think that the majority of those public-houses are places that are necessary for the population?—I am perfectly convinced that the majority are utterly unnecessary, especially when I find three or four within a stone's throw of one another.

2582. But there a great many houses that are necessary, are there not, to persons who are living in lodgings for instance?—No doubt.

2583. Take those houses round about the Temple, where there are clerks and different persons residing who may have no opportunity of getting refreshment unless they go into a house of that description, if this Bill were passed they would have no means whatever in the Metropolis

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polis of going into a house of that kind, unless they have a meal; would not it be convenient to those who are not drunken people at all, to be able to go into a very decent and respectable house and take some refreshment on Sunday afternoon, where they would meet their friends; and would it not be a great restriction to them to be stopped from that convenience, because there are persons who cannot go into a public-house without getting drunk; do you not think it would be unfair to them that they should be legislated for in this way?—I am not supposing that all people who go to a public-house on Sunday get drunk; I would suppose that none of them would get drunk; I say that it is a bad thing to go to a public-house on Sunday to drink, apart from getting drunk, though a great many do get drunk.

2584. I am speaking of persons who go there to sit for half-an-hour in the evening, probably, and who would not be able to do that if this Bill were passed?—There are eating-houses open where persons can go and get a meal if they wish.

2585. Supposing, for instance, a man only wants a pint of beer?—I should say that it would be better for him to go without his pint of beer on Sunday than that all the evils connected with Sunday drinking should continue; I am not wishing at all to legislate in the interests of total abstinence.

2586. Therefore those persons would feel that they must give up drinking themselves, for the purpose of preventing this evil, although that which they do is not open to objection?—I think that the decent, sober people, who might be inconvenienced in this way would, by a great majority, be in favour of this measure; at the same time, a multitude of persons who do go to those places, and are not always sober, wish it for their own protection. I do not deny that there would be difficulties, and some personal inconveniences; but I consider that those personal inconveniences would be far more than atoned for by the general benefit arising from closing the houses.

2587. Have you any idea of the number of persons living in London, in lodgings, where they really can obtain no refreshment of any sort or kind, where they do not take any meals, and where they do not have anything to drink in the place; and in point of fact, so far as they are concerned, that particular class of public-house is really their club, and is the only place that they have to go to?—I do not know how many there may be.

2588. There must, necessarily, be a very large number of such persons, I do not mean to say of the working classes exactly, of course there are a good many amongst them who are single men; but I mean clerks and persons of that description, who daily use public-houses, or eating-houses, for the purpose of obtaining their meals, or for any refreshment and drinking that they may desire?—Certainly there are a great many, and they would still be able to get their meals; they could buy a bottle of beer on the Saturday, and have it in their own room if they wanted to drink at any time of the day without a meal, and therefore the inconvenience would, I think, be slight, compared with the immense educational, religious and social benefit resulting from such a measure.

2589. Getting it on Saturday would inconvenience a person who does not wish to have the trouble of doing that, if he has to go to a public-house and get a bottle of beer and carry it home;
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he would wish to have an opportunity, wherever he might be about London, of going into a public-house, not for the purpose of drinking, but just to take some refreshment in the way of a glass of beer; and when out of London, if this Bill were to pass, he would be entirely prevented from doing that, because he would neither be a traveller, nor would he be a lodger in this public-house, nor would he be a person going in to take a meal, so that a vast amount of persons would clearly be inconvenienced, would they not, if this Bill were to pass?—No doubt we all are inconvenienced by legislation in some particular; we do not get our letters on Sunday; that is an inconvenience; but people generally admit that all those personal inconveniences are more than counterbalanced by the general benefit resulting from the law of rest on the Sunday.

2590. You say that they should be permitted to buy this liquor to be consumed off the premises; are you aware of the evidence which has been given before us on this inquiry, that the police have said that if it were not permitted to persons to consume on the premises, liquor would actually be brought out of the public-house and drank in the streets, and great drunkenness and inconvenience and riot would take place, which at the present time is restrained within the public-house?—I do not think that would be the case to any great extent; I think obviously there would be difficulties in the way of that; it would be too inconvenient, and people would be ashamed to stand about on the pavement; at any rate, all wet days would be days of exception; cold water would then gain the victory.

2591. Have you given any attention to Mr. Forbes MacKenzie's Act in Scotland, and do you know what the result of that has been?—I am not able to give evidence upon it.

2592. The public-houses are closed altogether on Sunday; but are there not places in Edinburgh and in different towns called shebeens, where drink is carried and consumed illicitly to a very great extent, and there is no person, publican or anybody else, to restrain these persons who go in there, and a vast amount of drunkenness takes place; do not you think that if the total restriction of consumption on the premises on Sunday in London were carried out it would create similar places in the metropolis?—I have no means of knowing. I do not feel that I am able to indorse the evidence which you have just brought forward about Scotland.

2593. Setting Scotland aside, supposing persons were prevented from going into a licensed public-house to take any drink on a Sunday, do you think that they would not have it in other places over which the police could have no control; because, you are aware that the police have a right to go into a public-house if there is any disturbance or any case of drunkenness, and have a right to remove a drunken person, who is liable to be fined by a magistrate the next day; do you think that there would not be houses of the description I have mentioned established, where those drunken people would go and commit vastly greater excesses than are now committed under the present regulations?—I suppose that everyone now has the same right, all classes of society, if they please, can shut themselves up in a room and drink by themselves; the upper classes as well as the lower classes can do that at home.

2594. But then those are persons who, practically,
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tically, do not commit any excess, although, of course, we know that people do get drunk in their own houses, what they call boozing about; but if this Bill were passed into a law, seeing that they would not be able to obtain any drink in a public-house would they not resort to similar places to those which have been established in Scotland?—I think it is very possible they might to some extent, but, I should say, in reference to the other admissions which, I should think, any man of common sense must necessarily make, that the evils would be comparatively trifling, in view of the great benefit resulting from this legislation.

2595. You think that the advantages would counterbalance the evils, though you admit that evils necessarily would arise of the nature which I have described, if this Bill were passed into a law?—No doubt every law has evils connected with it.

2596. *Chairman.*] You stated just now, that you were not able to confirm the statement of the Honourable Member for Southwark, with respect to unlicensed houses in Scotland; did you mean by that, that you were not able to confirm his opinion that unlicensed drinking had increased to a very great extent?—I am not able to confirm the Honourable Member's opinion one way or the other; I have no personal knowledge of what is going on in Scotland; I have not been there for several years.

2597. Although you say that the disturbances which might arise from the imposition of fresh restrictions might be got up by interested parties, still you are not insensible to the probability of their recurrence?—It is quite possible that they might occur.

2598. You think it would be very probable that there would be considerable agitation if restrictions, even to the amount proposed by the Bill, were imposed?—I cannot say that it is very probable; it is possible, judging from past experience.

2599. Judging by what you have seen in your own time, of the effects of the Sunday Trading Bill for instance?—Judging especially from the demonstration in connection with Lord Ebury's Bill.

2600. There would be some fear, would there not, that there would be a manifestation of what some people would call public opinion?—It is quite possible; organised and got up by the publicans.

2601. And whether it be got up by interested parties or not, such manifestations about public-houses, or about reform, or anything else, do exercise considerable influence, do they not?—Some influence; I do not think in this case they should produce much effect. I think it would be impossible to get up a public manifestation against this Sunday Bill by way of public meeting to which all persons should be summoned, and at which there were no class efforts made. I think that the genuine expression of public opinion would be in favour of this measure, and therefore that any opposition got up by the publicans would be of a very evanescent character, and that after once showing itself, it would not be repeated. There would be no real heart and soul in it, and thus it would cease.

2602. But the Bill which was brought in by Lord Ebury, and which was the cause of those demonstrations, was withdrawn in consequence

of them, was it not?—It was; and I think this was very much to be lamented.

2603. Do you not think that harm is done to a good cause, if, by going a step too far in advance, you are obliged to take one back again?—Very great harm indeed, if you are obliged to do so; but the question would be, whether in that case the Legislature was wise in retiring before a mere mob in Hyde Park. I think if it had been persevered in, the opposition would have ceased to repeat itself. Opposition arising from a conscientious principle will of course increase, but opposition arising from mere interested motives on the part of a clique will soon die out.

2604. But, seeing that you only wish us to put down an enormous evil by moderate legislation, and considering what has passed on this same subject, that after deliberate inquiry Parliament passed an Act in 1854 which, after one year's trial was repealed, in consequence of the complaints made, not only by the mob, but by respectable classes, would there not be considerable risk of a similar retrogression if this Bill were passed?—I think that public opinion has changed considerably, and is now more in favour of restrictive measures than it was then. I think that the new Parliament, being more a representation of the masses of the people, will be still more favourable than the old one.

2605. But is it your deliberate opinion that public opinion has so far advanced now that it would carry and maintain an Act more stringent than that which was obliged to be repealed in 1855?—I think so.

2606. Are you conversant with the proceedings, and the Report of the Committee of 1855?—I am not personally.

2607. Are you aware generally that it inquired into the working of the Act of 1854, and recommended its repeal?—I am not able to answer questions about that.

2608. *Mr. John Abel Smith.*] Do you know the fact, that there was but one person examined out of London?—I do not.

2609. *Chairman.*] Something has been said about clubs; I presume you do not see that there is any real distinction in the use of a public-house on Sunday, whether a man calls it his club or not; if he goes and sits in a public-house to drink on Sunday the result is very much the same?—I think that a club is in the nature of a private house; I may have a house in which only one individual may live, or I may associate myself with 12 other people, and we may control one another, and forbid any one else to come in. That may be as much your private house as if it were a private house of your own; but a house open to all the world is of a very different character, and the working men seem to see the distinction between the two, and that it is not a fair argument to say that if clubs are open on Sunday, therefore, public-houses must be open on a Sunday.

2610. It would be very difficult, would it not, for the working classes to establish clubs on similar principles to those to which the richer classes belong?—It would.

2611. Then a great many who use those places on Sunday may perhaps look upon them as their clubs, and say this is our club, like the Carlton Club in Pall Mall, or other rich men's clubs?—They may look upon it so.

2612. Do you not think that there would be considerable irritation amongst such a class, if they

they found what they considered their clubs shut to them, while they saw those larger establishments remaining open?—I have had a great deal of experience of the feelings of the working classes, by intercourse for some years with them, and I hope, in some degree, having their confidence; and I should have no difficulty whatever in meeting any number of working men in my district of London, promiscuously gathered together in any large meeting, and ascertaining their opinion. I feel quite sure that the general result would be, that a vast majority of the working men would approve of such a measure as this, and would not feel any indignation at all.

2613. I am granting the object to be gained to be a good one, and granting (which is within my own knowledge) that there are a large number of persons of the working classes extremely anxious for such a Bill, or even a much more stringent Bill; but, at the same time, I am asking you those questions upon the admission which you have made, that the passing of this Bill would, in all probability, lead to considerable agitation; and without in the least denying that there are large bodies of persons whom you and others would influence to see the wisdom of such an enactment, would there not be a great many more who would consider it an injustice?—I am not quite sure that I said that, in all probability, the passing of this Bill would lead to demonstrations against the measure; I intended to say, and thought I said, that it would possibly do so. I am not able to say that it would probably do so. It entirely depends upon the secret determination of—the licensed victuallers, perhaps. I cannot tell what the result may be. It is possible that there may be an organised opposition, and it is possible that there may be nothing. Therefore, I should not say that it is probable that it would lead to excitement and opposition.

2614. Supposing Parliament preferred to take a step in the direction which you advocate, but not to go so far as this Bill, would you rather have that than nothing at all?—Yes, certainly; every step towards restriction is a benefit.

2615. You qualified, I will not say your approval, but your acquiescence in the idea of opening places of secular amusement on Sunday, by saying that one great objection is the employment of persons as attendants there. Is not that the argument which is always used, and with considerable effect, when such a proposal is made?—I did not wish to imply acquiescence in any opinion that had been expressed with reference to places of recreation on Sunday, but merely to say that I should not wish to legislate against such recreation, and I should think that that is not the province of the Government. I should certainly object to the Government interfering to provide such places of recreation, when, having such places of recreation would necessitate Sunday labour on the part of those who have an equal right to Sunday rest with those who enjoy the recreation.

2616. Was I wrong in understanding you to express an approval of what was said by the witness who preceded you, to this extent, that you would rather see the public-houses closed and places of innocent recreation open, than that things should go on as they are now?—I certainly think it would be much preferable.

2617. Then I understand you to say that your objection to that change would still be insuperable on account of the employment of persons to

attend there which would be involved in it?—I do not think that the opening of places of recreation is a necessary alternative; we might have public-houses for drinking closed without necessarily having places of recreation opened. But if I were asked whether it would be better, supposing you must have one or the other, I should not for a moment hesitate to say that it is better to have the places for drinking closed and places for recreation opened; but I have an objection on principle to opening places of recreation which require the attendance of the officials, and thus necessitate their losing their Sunday rest for the purpose of furnishing amusement to another portion of the community.

2618. Supposing Parliament shut public-houses, and there was a sort of understanding that those other places were to be opened, do not you think there would be sure to be some opposition made to their being opened on the ground that you have mentioned?—I think that the opposition to having places for drinking opened on Sunday is of a different character to the opposition to opening places of recreation.

2619. But is not that the objection that is urged by portions of the working classes to closing the only place of meeting that they have, that we shut all places of innocent recreation by law, and condemn the only one which they possess?—They may make use of that argument, of course.

2620. You must have so very large an acquaintance with the habits of the working people in London, that I should like to ask you whether you have known any working men who have conscientious objections to buying beer on Sunday, resort to the expedient which I observed was stated to be possible before the Committee of 1853; it was said that there was no real difficulty in beer being bought on Saturday night for consumption on Sunday, because many publicans within the knowledge of the witness had furnished their customers with stone bottles in which the beer was run off fresh, and being corked tightly and turned upside down, would keep fresh during the Sunday; do you know of that expedient having been had recourse to?—I have no personal knowledge of it.

2621. Mr. Yorke.] You stated just now that you thought where great public good was to be accomplished, the inconvenience of a comparatively small number should be disregarded?—Yes, certainly.

2622. Applying your own principle to the case of places of amusement on Sunday, would not the opening of such places as the Crystal Palace, the Museum, and places of that kind be a great public good, in your opinion?—I do not think it would be a public good; the preceding witness thought so, but I have not said so; I think that the Saturday afternoon half-holiday, in which all sorts of recreation should be provided for the people, would be a very great boon; but my own private opinion is that the more Sunday is kept as a day of rest and of worship the better it is for the community at large in every sense, political, social, and intellectual, as well as religious; although I would not for a moment have any legislative action to compel people to keep it religiously, or to prevent them from enjoying it just as they pleased.

2623. At present such places as the British Museum and the Crystal Palace are closed by legislative enactment, are they not?—I said that I would not have the Government interfere with

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the private rights of individuals in any way in which they wished to have recreation, so far as it did not interfere with other people's rights; but the opening of those places would require the attendance of people; which I think interferes with the rights of other people, and on that ground I should oppose the Government allowing them to be opened when it would necessitate Sunday labour.

2624. I understood you just now to state that the inconvenience of a few ought not to be considered in the case of advantage to the public resulting from an act which would involve inconvenience?—Certainly.

2625. Would not you consider, in that case, that the advantage of opening those places would more than counterbalance the disadvantage which would accrue to the keepers and other persons who might necessarily be employed on the Sunday?—On the contrary, I do not think that it would be a public advantage. I think it would tend to secularise the feeling with respect to the Sabbath day, and thus to induce a state of feeling and practice in the country which would very much tend to deprive us of what is the great glory of England, which, I think, tends more than anything else to uphold us in moral integrity and greatness as a nation, and that is our British Sabbath.

2626. When you say that you do not approve of the principle of legislative interference in such matters, you do approve of the existing interference of the Legislature with opening such establishments?—I approve of the Government, if it is found to be expedient, appointing one day of rest in every week. That is the law of England, and, therefore, I wish to have it carried out fully, and let every man have a right to enjoy his day as he pleases without interfering with the rights of his neighbours; therefore, I should quite approve of, say, opening the parks if they were closed on Sunday, and did not need any keepers; and I would let people have any enjoyment that they chose to have, without interfering with the rights of their neighbours.

2627. Is it not a legislative interference with the rights of persons in the case of places like the Crystal Palace, when a law is in force which prevents the Crystal Palace being open on the Sunday; is not that an interference with the rights of persons in the way you put it just now?—I think that all legislation with reference to the rest day of the week is an interference with individuals; but then I justify that on the ground of social advantage, not on the ground of religion at all. I would entirely separate all religious convictions from the action of Government.

2628. You said just now that you would not disapprove of the opening of the parks on Sunday?—So far as it did not interfere with the labour of other persons; I merely meant to illustrate it thus: It would seem to me an utter absurdity for the Government to interfere with the liberty of individuals as to the way in which they should spend their time on the Sunday. If a man chooses to walk out into the fields, or go to church, it is entirely at his own option; or if he likes to stay at home and enjoy himself with his friends, it is his business between himself and God.

2629. As I understand, you have said that you would not object to the parks being opened on Sunday, and to individuals exercising their right

of walking there, but, as you are aware, involves the attendance of persons like the police and park keepers and others, who are interfered with in the same manner that you said would be the case with the keepers of the Crystal Palace or the British Museum; is not that principle involved in the case of the parks quite as much as in the case of the Crystal Palace and other places?—I should not have thought that that would have applied; there must always be police if people are about. There are some works which are absolutely necessary, and there must be a certain number of police to a certain number of the population, whether in the parks or whether in the streets. Therefore, supposing no additional police were wanted if people were walking in the park rather than walking in the streets, they would simply have to have their station in the park rather than in the streets.

2630. *Chairman.*] Supposing the police had their stations all over the town; for instance, there must be policemen on certain beats in certain streets, and those policemen must be on those beats the whole of Sunday, whether people are walking in Piccadilly or Oxford-street, or wherever they be, and, if so, if the people congregate in Hyde Park or Kensington Gardens in great numbers, the presence of those numbers would require the attendance of an additional body of police; wherever there is an aggregation of people there it is the duty of the police to be present in increased number; does not that interfere with the Sunday liberty of those policemen, just as the presence of the keepers of the Crystal Palace would do if the people went there?—I do not think that it interferes in the same way; of course when we enter into particulars, there are always difficulties which arise to discriminate between one and another; a mass of people always require a certain number of police for the purposes of order. If the principle involved were the same, I should carry out the same rule; but my simple idea was to endeavour to explain that I would not legislate to interfere with the liberty of individuals as to the mode in which they should spend the day of rest, but that I would endeavour to protect all classes of the community in the enjoyment of their liberty on the day of rest. There are some works which are of absolute necessity; there are other works which are not of absolute necessity. There may be difficulties when we come to the margin line to determine what is absolutely necessary, and what is not; I might be in doubt myself; but I think that there is a principle of distinction between what is of absolute necessity and what is not of necessity.

2631. *Mr. Yorke.*] Would you not before going further in restrictive legislation, with regard to public-houses on Sunday, prefer trying another expedient, such as the opening of places of public amusement and other attractions of that kind, so as to endeavour to draw people away from going to the public-houses on Sunday; do not you think that if it could be done in that way, it would be preferable to restrictive legislation?—I think that the opening of the Crystal Palace, and other such places, on Sunday would be in itself an evil, and that this would be only creating an additional evil, certainly not so great an evil as the first, but an extra evil. Though it might in some little degree diminish the first evil, yet it would not at all remove it.

2632. *Chairman.*] Would not people say that you have shut by law every place of innocent recreation,

recreation, and you now close the public-houses by law, and we have only to choose between the churches and the streets; is not that what they would say?—Some of them might say that; but I still think that the great masses of the people would not say it.

2633. *Mr. Evans.*] Are you aware whether, in that part of London with which you are best acquainted, any considerable number of persons are in the habit of taking their meals, or any of their meals at the public-houses?—I do not know that; a great many of them take their meals at eating-houses; but from my observation, of the public-houses near my church I should say are frequented simply for drinking and not for meals.

2634. I was not speaking exclusively with regard to Sunday, but with regard to the week?—On Sunday, I observe frequently large crowds of persons in those places; and I never see them eating; they are always drinking.

2635. I think I understood you to say that, supposing the question were, whether you would have the present Bill or whether you would have some part of its restrictions only, you would prefer to have the present Bill?—Yes, the present Bill.

2636. If that were impossible, I suppose you would think the use of moderate restriction better than leaving things as they are?—Yes.

2637. During what hours do you think the greatest portion of drinking at the bars of public-houses takes place on Sunday; is it late or early?—I should think late.

2638. It has been suggested by some witnesses who have been before this Committee, that good effects might be produced if the public-houses were closed on Sunday at 10 instead of 11; do you approve of that?—Of course it would be a very great advantage, so far as it goes.

2639. Supposing that that was the only thing you could obtain, you would rather have that than nothing?—Certainly. Perhaps I may be allowed to mention to the Committee, as I have recently been in New York, what I observed there as to the action of licensing and restrictive measures.

2640. *Chairman.*] We must not go into the licensing question, except only as regards the Sunday?—On Sundays there is no open bar drinking allowed in the State of New York; and I may say that on days of election it is like a

Sunday; there is no public drinking on an election day, so that there is great order; and also drinking is separated from amusements, and by all persons interested in the morality of the community that separation between drinking and amusements is most highly spoken of. The result has been that many disreputable houses have been closed in consequence of the separation of the two. In company with a couple of policemen, and a missionary, and a clergyman or two, I investigated some of the very worst parts of New York; and I must say that they are better than the worst parts of London, in consequence, I think, of the fact that all the dancing rooms and singing rooms are separated from the drinking of intoxicating drinks.

2641. *Mr. Malcolm.*] Are you referring to the lager-beer saloons and gardens?—No, I was not referring to them.

2641. Is not the lager-beer sold in the dancing houses and saloons?—There may be a band of music where it is sold.

2643. *Chairman.*] We ought not to go into the case of public amusements, except as regards their being open on Sundays, simply because we are told by the Order of Reference to confine ourselves to Sunday?—The question had been referred to by an Honourable Member, as to the separation of amusements and drinking, and I was simply using it as an illustration, showing that the separation in the State of New York had been attended with the most beneficial effects, in shutting up very many disreputable places, and in improving the morals of the people.

2644. *Mr. Locke.*] At New York do they have rooms for refreshment separate from the room in which the music is going on?—Not in the same house, not under the same roof; you must go to another place. I went into one of the worst streets in New York, and there would be one place for drinking on the one side of the road and a place for low dancing on the other; but in the place for dancing you cannot get anything stronger than ginger beer; and I observed that there were very few people at those low haunts. I was told that many of them were being shut up, and that many of them had been shut up; and that it was the connection of very low amusements with drinking which was the great cause of injury to the people.

The Reverend CYRIL PAGE, called in; and Examined.

2645. *Chairman.*] You are Incumbent of Christ Church, Westminster, are you not?—I am.

2646. You have been for a great number of years a clergyman in Westminster?—I have.

2647. For how many years?—Since the year 1834, when I came into this parish.

2648. Will you state your opinion as to the object which is sought to be obtained in the Bill before the Committee, and your opinion as to the machinery by which it is proposed to be attained; you probably know it is intended by the Bill to close the public-houses for sale for consumption on the premises during the whole of Sunday, and to limit the hours during which liquor may be sold at all to three hours and a half in London?—I have not seen the Bill.

2649. That is the general object of the Bill, with provisions in favour of persons resorting there for *bonâ fide* meals, and for travellers, and

lodgers in the house; I will ask you at once whether you think that the object of reducing drunkenness would be likely to be attained by that measure?—I should doubt it very much.

2650. You have in your district in Westminster a very poor population, and I suppose that there is no part of London where on Sunday, perhaps, there is more of what is called Sabbath desecration?—It is much the same as it is throughout all the low parts of London. I do not think there is much difference.

2651. It is the habit of the people there, to a great extent, to resort to public-houses on Sunday, is it not?—No doubt it is.

2652. What should you think would be the result, if those people were to be debarred altogether from the public-houses, except for 3½ hours on Sunday?—I think that means would be taken to evade the law.

2653. You think that the class of the population

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tion who live in a part of your parish would somehow or other get liquor?—Yes.

2654. Supposing that they got it by buying it on Saturday night or during the open hours on Sunday; do you think they would drink largely in their own houses?—No doubt a great portion would.

2655. Do you think that that would be a lesser or a greater evil than is produced by the present law?—I have not sufficiently considered the point to say which I believe would be the greater evil of the two, because it would depend upon the extent to which it was carried; of course it is merely a matter of opinion, because I have no data to go upon as to what I believe actually would take place under the circumstances supposing this law were carried; but I believe that there is evasion of the law at times even now when there is not the same necessity for it; and I think that the persons who do use the public-houses for drunkenness are persons who would be extremely discontented, and who would do their utmost to evade the law; how far they would be able to do that, I do not know.

2656. Do you think it would be likely to lead to rioting?—Not impossible, I think, here and there.

2657. At all events, the population of some of those back streets, taking advantage of the open public-houses to a great extent on Sunday, would be likely to be very dissatisfied at being absolutely prevented from entering them?—I think they would be.

2658. Of course there can be no two opinions as to the desirability of reducing drunkenness, and even of reducing the consumption of strong liquors, and the waste of the wages of the people; but is it your opinion that the difficulty of forcing people to amend their habits in that respect is so great, that the restrictions proposed by this Bill would go too far the other way?—As far as I understand it, I think the Bill would perhaps go rather too far. I think that a small additional restriction to what exists now, might be a benefit without interfering with any enjoyment which people might fairly claim as a sort of right, without interfering with their liberty and so forth. For instance, at the present moment, public-houses are not closed during the evening service, or after five o'clock. The object of the law was to close public-houses during the time of Divine Service, the morning service and the afternoon service; but really now in these days, afternoon service is much less attended, and in some cases scarcely attended at all, compared with the evening service, and if the houses were shut up during the evening service, it would be a great gain to

many people, and a gain to the publicans themselves; because although there may not be many, there are some religious publicans. I know one instance in my own parish. I have had a pot-boy who attended church regularly, but if the public-house is obliged to be open, he cannot attend.

2659. You would like to see the present law made more restrictive, and I gather from what you say, that you think it should be in the direction of decreasing the hours still further during which the houses may be open, but not of prohibiting the sale of liquor to be consumed there in those hours?—No, not altogether.

2660. Am I to understand, that what you have now stated is your opinion generally upon the Bill?—Yes.

2661. Is there anything else that you would like to add?—I should say that my opinion is not very much worth having, for I feel amazing difficulty in ascertaining the facts to go upon. I can only state this, that the Police Act which did close the public-houses some years ago, was a very great benefit to the neighbourhood, as to decency, whether it hindered much drunkenness I cannot say.

2662. The closing of public-houses, as they were closed by the Act of 1854, you think was a great benefit to the neighbourhood?—I forget what the date of it was. I mean the Police Act.

2663. There was an Act in 1854 which, for one year, until it was repealed, closed the public-houses, except from one to three and from six to 10 at night, on Sunday; then the Act of 1864 closed all public-houses every night at one, and on Saturday night at 12, leaving them open from one to three and from five to 11 on Sunday night; do you refer to the Act which closed them on Sunday, except for six hours, or to the latter Act?—I mean the Act which closed public-houses till one o'clock on Sunday. I felt, myself, personally the difference. When I used to come to church there were two gin palaces close by the church gates, and people in a drunken state were turned out just at 11 o'clock, when Divine Service commenced, who were a great nuisance to people coming to church, and the whole of the street was in a condition quite sufficient to deter decent people who lived in the neighbourhood from coming to church. When the public-houses were closed until one, the streets were so far improved that there was not that amount of drunkenness going on at that early hour in the morning which there had been before, and so far that was a gain.

Wednesday, 6th May 1868.

MEMBERS PRESENT:

Mr. Baines.
Colonel Fane.
Sir James Fergusson.
Mr. Horsfall.
Mr. Knatchbull-Hugessen.
Mr. Locke.

Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

DUNCAN M'LAREN, Esq., a Member of the House, Examined.

2664. Mr. John Abel Smith.] I BELIEVE that you have taken a very strong and lively interest in the laws regulating the consumption of intoxicating drink on Sunday?—Yes, I have taken a great deal of interest in that question.

2665. You sometime since were Lord Provost of Edinburgh, were you not?—Yes, three years, from 1851 to 1854.

2666. Would you have any objection to state the circumstances which, while you were in that position, drew your attention particularly to the subject of Sunday drinking?—At that period it was a matter of public notoriety that drunkenness prevailed to an enormous extent in Edinburgh, as it did in all the large towns of Scotland, and it was particularly marked and offensive on Sundays, because, in going to church, we often saw people drunk in the streets, rolling about, and sometimes fights and everything that was unpleasant. And there was a very general desire on the part of men of all sects and classes to try if they could do something to stop this enormous evil. With the view of initiating something that might be useful, I called a meeting of the acting magistrates of the city and the justices of the peace for the county of the city, for Edinburgh is a county in itself, and proposed certain resolutions to them. It was a meeting at a special licensing session; a large number of publicans were present and various memorials were read. I wrote down the other day to the clerk of the justices to let me know, in case of any mistake, what was done at the meeting, and he has sent me up a copy of the Minute of that meeting, and if the Committee will allow me to read it I will put them, in three or four minutes, in possession of the exact facts of the case; and perhaps they may think it of some importance, when I say that our experience, arising out of that meeting, was the origin of the Forbes Mackenzie Act which has been so much talked of. "At a meeting of the special sessions of the justices of the peace for the city of Edinburgh, and the liberties thereof, held within the City Chambers of Edinburgh, the 28th of April 1852; present, the Lord Provost Preses and other 36 justices. The Lord Provost having stated the object of the meeting as set forth in the circular letter convening it, namely, for the purpose of considering whether, in granting certificates to publicans for the ensuing year, any measures should be taken for preventing spirit shops from being kept open on Sundays, 0.69.

submitted and read to the meeting the following documents, viz.: 1st. Return by the superintendent of police, respecting licensed spirit dealers within the Edinburgh police bounds, giving for each street the total number, and the number open on Sunday the 25th instant (that was the Sunday before the meeting), from which it appeared that the total is 974, and the number open on Sunday was 490. 2nd. Memorial from licensed wine and spirit merchants in the city, signed by 141 of their number, addressed to the Lord Provost and magistrates, with reference to the great amount of traffic in spirituous liquors on the Sabbath-day existing in the city, respectfully and earnestly requesting the attention of the licensing court to the subject, and urging the necessity of such measures being adopted as may tend to check the practice in future. 3rd. Memorial of the missionaries of the city of Edinburgh, on the same subject, and to the same effect. 4th. Memorial of 1,200 Sabbath-school teachers of Edinburgh, on the same subject, and to the same effect. 5th. Memorial adopted at a public meeting held in Richmond-place Chapel on 20th April 1852, on the same subject, and to the same effect. 6th. Copy, resolutions adopted by the magistrates of Glasgow, relative to the licensing of public-houses there, and putting a stop to the sale of spirits on Sundays. 7th. Letter thereanent, with result of said resolutions, from the superintendent of the city of Glasgow police. 8th. The 7th clause in the Act for granting certificates, as to the power of the magistrates in granting them. 9th. Opinion of the Dean of Faculty in 1848 (now Lord Colonsay), anent the powers of magistrates in granting certificates; his Lordship (*i.e.*, the Lord Provost) having at great length commented upon the said documents, and stated his views, approving of the object sought to be attained, read the following resolutions, prepared by the Lord Provost and magistrates, for preventing spirit shops from being kept open on Sundays; viz., 1st. That it is desirable that all licensed spirit dealers should be of that respectable class who disapprove of keeping open their shops for the sale of spirits on Sundays; 2nd. That when any violation of the provisions of the Act for granting certificates, or any offence under the Police Act, shall be proved to have taken place in any licensed spirit shop, and when any such shop shall be farther proved to have been usually kept open during some portion of the Sabbath, this meeting is of opinion that

D. M'Laren,
Esq., M.P.

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the license to such premises should not thereafter be renewed; 3rd. That to enable the magistrates the more readily to enforce the above resolutions, the superintendent of police should be requested to furnish them with a monthly list of those shops which have been kept open on Sundays for the sale of spirits; and moved their adoption by the justices. Bailies Morrison and Fyfe concurred with the statements of the Lord Provost. The Provost of Leith cordially approved of the resolutions, and seconded the motion by the Lord Provost for their adoption. The following justices severally expressed their sentiments of the proposed resolutions; viz., George Combe, Esq.; Archibald Thomson, Esq.; James Hill, Esq.; Baillie Brodie, Leith; Baillie Brown Douglas; Joseph H. Stott, Esq.; John Richardson, Esq.; and Sir William Johnston. The Lord Provost replied, and, having put the question, on the motion before the meeting, it was unanimously agreed to. The resolutions were ordered to be published in the 'North British Advertiser,' and hand-bills to be printed, containing said resolutions, and circulated throughout the city, and a copy to be delivered to each party receiving certificate."

2667. The result of that, in its working on the society in Edinburgh, was such as to excite a strong feeling in other parts of Scotland, was it not?—Yes, it was. The change that took place was almost instantaneous. Within a few weeks you saw its operation quite visibly. A large proportion of those who used to keep open their houses on Sunday shut them, and the drunkenness was visibly diminished in all quarters of the town. It was very remarkable indeed on the Sundays. I frequently made it my business to walk through the low neighbourhoods on Sunday evening. I went through every part of the town alone to see what was going on. I had done so before the regulations were made, and I did so afterwards. I continued it for more than a year, and I can speak from personal knowledge that the effect was startling, and even those in the city who were opposed to what they called that kind of Sabbatarian legislation, were just as ready to admit the great change that had taken place, as those who approved of what was done.

2668. What took place with reference to legislation?—The change led to discussions all over Scotland. There was one defect in the Edinburgh regulations which could not be remedied without an Act of Parliament, and that suggested the getting of an Act which should be of universal application. The difficulty was this. Many of the publicans who most heartily approved of the closing came to me and said, that if they were to continue the system of closing in particular neighbourhoods, their business would be ruined, because their neighbours who kept open in defiance of the regulation, but still hoping to escape the forfeiture of their licenses, not only got their customers on Sunday, but those customers went to them on the other days of the week also; and they said they would do anything they could to get a universal law enacted, and would be delighted with it; but that they would be made martyrs of without such a law. It was talked of and written about in the newspapers all over Scotland, and the result was that a committee in Edinburgh framed a draft Bill, which they gave in charge to Lord Kinnaird, and to Mr. Forbes Mackenzie then in the House of Commons, and those gen-

tlemen carried through an Act to make complete and compulsory throughout Scotland what had been begun in Edinburgh, and partially carried into effect.

2669. Who had the carrying of that Bill in Parliament?—I think Lord Kinnaird and Mr. Forbes Mackenzie; it was brought in as a public Bill.

2670. There has been since that time a commission, has there not, to examine into the working of the Act?—There has.

2671. Are you conversant with what occurred?—That commission recommended certain amendments to be made in the law with the view of remedying defects which the subtlety of lawyers had found out, and which enabled parties to run through the Act in many cases, and the Public-house Amendment Act was brought in by Mr. Muir; he had been Lord Advocate before, but he was not Lord Advocate at the time, and he acted as a private Member. He asked me to come to London for a few days to assist in it, and go over all the clauses with him, which I did. That Act was passed at his instance, and it nearly remedied all the loopholes by which the original Act was sought to be evaded.

2672. But the commission reported very favourably as to the working of the Sunday closing, did they not?—Yes; the commission was a perambulatory one; it did not merely stay in Edinburgh, but went to different towns and important districts in Scotland, and took evidence upon the spot, and the evidence was overwhelming in favour of the Act, and they reported accordingly.

2673. Had there been much resistance to the working of that Act in the first instance?—There was always an influential section who opposed on principle that kind of legislation, and then there was a considerable section of the licensed dealers of all kinds, both the public-house and the spirit shopkeepers, who objected to it, and did all they could to write it down and speak it down; but still this opposition never produced any effect on the mass of the people of Scotland, so far as I know; it was regarded as a mere trade movement.

2674. And do you believe that now in Scotland they would willingly consent to any change in the law, and return to their former habits?—No; I think the longer the experience has been, these Acts are more and more valued, and I should think that Members from all parts of Scotland, including both boroughs and counties, would strenuously resist the repeal of those Acts.

2675. *Chairman.*] What were the alterations in the law by Mr. Muir's Act of 1861?—I have not looked at the Act for several years, and I should not like to say; but there was no change in the principle; it was more to clear up ambiguities, and to make the powers of the magistrates more stringent.

2676. But there were considerable relaxations, were there not; such as this, that the hour of closing at night was made later on the magistrate's license?—The magistrates might give a special license in the case of a dinner or a public party of any kind.

2677. *Colonel Fane.*] What are the hours which are at present in force in Scotland?—By the Forbes Mackenzie's Act they are to shut at 11 on every night, and shut the whole of Sunday; they cannot open at all on Sunday, except hotels; but if parties are residing in a hotel,

otel, they can get spirits or wine at any hour of the day. There are no canonical hours in Scotland in hotels.

2678. Mr. *John Abel Smith.*] Was not the extension directed to meet the convenience and the necessities of those hotels at which public dinners were given?—Yes, that special license was; but I should doubt whether 50 such licenses in Edinburgh have been issued; it is a very rare thing.

2679. As Provost of Edinburgh, did you not frame certain tables to show the working of the Act?—I did.

2680. Will you explain them to the Committee?—At that time I thought that different tests, comparing the old system with the new, could be brought out from statistical inquiries, and I framed a set of tables for the superintendent of police to be continued from year to year, as I hoped they would be, showing the facts on all the different questions that were likely to arise; and those tables, as framed by myself, have been continued by succeeding magistrates without any alteration. They now form a continuous series of observations for 16 years; and as no change has ever taken place in the structure of the tables, the information they contain will perhaps afford a more valuable test from these circumstances, than any mere matter of opinion from myself or anyone else; and, if the Committee desire it, I will state the results shown by those tables.

2681. Will you have the kindness to state it to the Committee?—The first is a table showing the number of persons found drunk and incapable on the streets; I wish the Committee to understand that those here enumerated were not charged with any offence, but were the helpless drunkards taken by the police, for their own security, to the office, and kept there till they got sober and were let out the next morning. In the year 1852, when the minute to which I have referred was passed, the number of drunkards of that kind was 6,367 during the whole year; the Forbes Mackenzie Act I should state came into operation two years after the date of the minute. In 1853, the number was 5,727; in 1854, 5,183; in 1855, 5,014, and so on; I need not read all the figures, but will give, in each case, the first and last four years; in 1864, the number was 2,195; in 1865, 2,274; in 1866, 2,330, and in 1867, 1,915.

2682. The extreme points being 6,367 and 1,915?—Yes, it was 6,367 when the experiment commenced, and by the tables as just completed, which I got in manuscript from the superintendent of police for the last year, the number had been reduced to 1,915.

2683. Colonel *Fane.*] Has the population remained about the same?—No; the population during those 16 years has increased, I think, about one-eighth part; so that, if all circumstances had been equal, the number of drunkards should have been one-eighth greater now than they were then.

2684. Mr. *John Abel Smith.*] What is the next table?—Another table is to show the number of persons found drunk on Sundays, in the same way, without being charged with any offence. In 1852 there were 729; in 1853, 641; in 1854, 455; in 1855, 389. For the last four years, they came down in the year 1864 to 199; in 1865 to 230, in 1866 to 223, and in 1867 to 164. So that the number of persons taken up

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for being drunk on Sunday has diminished from 729 to 164, and the diminution, although not literally continuous, is very nearly so. It occurred to me, in framing the tables, that an objection might afterwards be stated by parties who sought to impugn what I thought the logical deductions to be drawn from them if nothing but Sunday cases had been dealt with in the tables; they might have said, "You have diminished drunkenness on Sundays, but no doubt it has increased on Monday and on Saturday." And another fallacy required to be corrected, because all those apprehended on Monday, and after 12 o'clock on Sunday night, were catalogued in the police books as persons taken upon Monday; and Monday got the credit, in that statistical form, of being the cause of the drunkenness, although the drink was swallowed on the Sunday, and during night. Therefore, I got a table framed to show the numbers found drunk between eight o'clock on Sunday morning and eight o'clock on Monday morning; and these cases must, of course, have been from the effects of drink taken chiefly on Sunday. The number in 1852 was 401; in 1853, 333; in 1854, 176; in 1855, 82; and for the last four years, in 1864 it was 49; in 1865, 47; in 1866, 42; and in 1867, 33.

2685. Mr. *Yorke.*] When did the Act come into operation?—It was passed in 1853, and it came into operation on the 15th of May 1854; but the resolution of the magistrates was two years before the Act came into operation. We have also a table of the number of persons found drunk on Saturday; of course all those figures are included in the larger number of 6,367, which I gave; they are not additional figures; these are merely the classifications of the larger numbers. The number of persons found drunk on Saturdays was in 1852, 1,296; in 1853, 1,317; in 1854, 1,177; in 1855, 1,186; and for the last four years, in 1864, it was 574; in 1865, 588; in 1866, 631, and in 1867, 495. In Scotland we found that when men began to drink, on Saturday evenings, after they got their wages, they very often continued to drink all Sunday and all Monday; at least, as long as their money lasted. By interrupting the progress of drinking, as was done on the Sunday, it was expected that the Monday cases of drunkenness would be very much fewer, because the parties being sober on Sunday would probably go to their work sober on Monday; and it has turned out to be so; there has been a great change on the Mondays in that respect. In 1852 the number of persons found drunk was 776; in 1853, 728; in 1854, 665; in 1855, 654; then for the last four years, in 1864, it was 208; in 1865, 244; in 1866, 258, and in 1867, 200; those are the chief statistical facts respecting the working of that Act. They are taken down by the superintendent of police, and they are printed annually at the expense of the magistrates and town council in a book along with other classes of offences which have no reference to these matters. For the last year the book has not been printed; but I wrote to the superintendent of police to send me up the figures in manuscript, which he did, and I have given them to the Committee.

2686. Mr. *John Abel Smith.*] Have you any other tables to put before the Committee?—There is one table which is rather remarkable, and which seems at first sight to militate against the others which I have given; but my wish is to state matters fairly to the Committee, and not

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to keep anything back that might oppose my own theory; there is this curious fact, that the number of criminal offenders who were drunk when the offences were committed has not at all diminished; it has been almost a steady regular quantity. The numbers of persons apprehended for crimes or police offences, and who were drunk when they committed them, were, for the same years, in 1852, 3,400; in 1853, 4,003; in 1854, 3,566; in 1855, 3,081: then, for the last four years, in 1864 there were 4,146; in 1865, 3,880; in 1866, 4,123; and in 1867, 3,773. I should like to explain to the Committee that none of those persons were accused of drunkenness; that is to say, drunkenness was no part of the police charge against them; but the superintendent of police keeps a note in his books of the condition in which every person who is brought to that office is found. The drunkenness, therefore, was not of the essence of the charge against them; but still it is a fact, and as some of the Members of Committee may think it a material fact, I consider it my duty to bring it before you. The result of the great diminution of drinking, which was proved also by the diminution of the quantity of spirits consumed all over Scotland, seems, as far as I can judge, to have prevented crimes of an outrageous character from being committed, which often occurs when people are under the influence of drink, although not literally drunk. The offences seem to have become smaller, and shorter terms of punishment were awarded. I am not speaking of those that were drunk in the table referred to; but we all know how apt young men and all sorts of people, when they are under the influence of liquor, although not drunk, are to get into difficulties and to commit police offences of all kinds; and that diminution of drinking which took place seemed to lead to this, that although the number of offences were not diminished materially, yet they seem to have been of so much slighter a nature, and the duration of the punishment awarded was so much less, that the prison became too large for the number of people who were daily in it. The very opposite was the case before the resolutions of the magistrates in 1852; because the General Prison Board for Scotland had complained twice to the Home Office of the inadequacy of the prison accommodation in Edinburgh. The Committee are probably aware that the Edinburgh prison is a large prison for the whole county of Midlothian and city of Edinburgh, including the burgh of Leith, Musselburgh, and Portobello, in short, for the whole county; and the Government inspector complained that it was so inadequate for the number of the prisoners, that they must enlarge it. By the Prison Act, all the local authorities named must consent before any new expenditure can be incurred for building prisons. The county of Midlothian consented, and Leith and Musselburgh, and Portobello also; but as this experiment was going on, and I urged the town council of Edinburgh not to consent till the very last day that the Act allowed, in order to see whether the change that was visible for a time should be continued. They took my advice, and suspended giving their assent to the very last day. What seemed for some years before a steady increase of crime had then been converted into a decrease, which went on to such a degree, that every one was convinced that the money would be thrown away to build a new prison. The 12,000*l.* which had been voted by the county,

and all the other burghs, was refused to be voted by the city of Edinburgh on the last day that the Act allowed for consideration, and from that time to this the prison has always been found too large for the number of prisoners in it, and the 12,000*l.* has been saved. I will just state to the Committee a rather important matter about the daily average of prisoners, apart from those Public-house Acts. The daily average number of prisoners I will give the Committee for a few years before the magistrates' resolution took effect, in order that they may clearly see what the general state of things was, and that no exceptional year has been taken for comparison. I am referring to the great prison for the whole city and county of Edinburgh, and all the burghs within the county. In the year 1848, the daily average number of prisoners was 585; in 1849, it was 639; in 1850, 582; in 1851, 625; in 1852, which was the year that magistrates passed the resolutions at my instance, it was 619; in the following year it fell to 531; and in 1854, to 438; in 1855, to 371; in 1856, to 349; in 1857, to 329; in 1858, to 345; in 1859, 378; in 1860, 319; in 1861, 340; in 1862, 356; in 1863, 381; in 1864, 395; in 1865, 389; in 1866, 335; and in last year it was 337. So that the Committee will see that in the year before the magistrates' resolution was passed, the daily average number of prisoners was 625, and after 16 years experience the number is 337, very little more than one-half. There were also a few prisoners in the police cells averaging from two to 10 in addition to those stated, and the numbers were larger for the latter than the earlier years. Those are the chief matters which I wish to state to the Committee, but any other information that it is in my power to give them, or to procure for them, by digging into Blue Books, or writing to Edinburgh, I shall be delighted to furnish whether in favour of my own views or not.

2687. You stated that there was a considerable diminution in the consumption of spirits in Scotland after the passing of the Forbes Mackenzie Act; do the returns of the consumption of spirits, as usually seen, give a true and fair picture of that consumption?—They do, in so far as British spirits are concerned, but they are defective in not showing the increase or diminution as regards foreign spirits. The Reports of the Inland Revenue Commissioners show the consumption of British spirits for each year, but the Board of Customs do not issue any similar report to show the quantity of foreign and colonial spirits that is consumed each year; and unless the Committee were to ask for such a Return from the Board of Customs they could not get a literally correct statement; at least I am not aware of any paper in which the information is to be found.

2688. *Chairman.*] The home consumption of spirits in Scotland other than whiskey would really be insignificant, would it not?—A curious trade, I understand, has sprung up of late years; a very cheap kind of spirit is made in Prussia, and it is sold at about 1*s.* 3*d.* per gallon; and I am told that it is brought in considerable quantities to this country to adulterate other spirits and mix with home made wine; therefore it may be quite true that there is an apparent diminution in British spirits, whilst, if you took in that foreign element there might be a much smaller diminution, or there might be no diminution at all.

2689. Is that kind of spirit mixed with the whiskey?—Yes, so I am told, and sold as whiskey.

2690. Mr.

2690. Mr. *Knatchbull-Hugessen*.] You stated that there was a diminution in the consumption of spirits in Scotland; is that founded upon any return?—Yes, I will state it to the Committee; I have taken it out of the Reports of the Inland Revenue Commissioners, and out of the Report of the Royal Commission of Inquiry in Scotland. They got the returns for earlier years than are to be found in the Reports of the Inland Revenue Commissioners, but I can give you them up to the return of British spirits that was issued yesterday, for the year ending 31st of December last. The average of the four years, from 1851 to 1854 inclusive was, for Scotland alone, 6,915,050 gallons; the average for the four succeeding years, from 1855 to 1858, was 6,668,696 gallons; for the two years, from 1858 to 1860, the quantity was 4,893,227 gallons; for the four years from 1861 to 1866, it was 4,878,166 gallons; and, for the two years, 1867 and up to the 1st of January 1868, it was 5,217,630 gallons; so that there is an increase during the last two years to a considerable amount.

2691. *Chairman*.] Does that give the consumption throughout Scotland?—Yes; those returns are all made upon this careful principle: it is not the spirits made in Scotland, or the spirits that pay duty in Scotland; it is, after deducting from the excise books all the spirits manufactured in Scotland and sent to England, whether they pay duty in Scotland or in England; and, in like manner, all from Ireland. That is given by the Commissioners as the real consumption of Scotland, without any question or doubt upon the matter.

2692. Mr. *Roebuck*.] Will you state the difference between the first period and the last two years, in which there appears to have been an increase?—The average of the first four years, from 1851 to 1854 (that was before the Forbes Mackenzie Act came into operation), was 6,900,000 gallons, leaving out the odd figures; and for the year ending 31st March 1867 it was 5,452,261 gallons. The year for which the Return was published yesterday was for the year ending on the 31st of December last, but still it included 12 months; and the quantity was 4,983,000 gallons. If the Committee will permit me to explain, all these returns are usually made up for the financial year ending the 31st of March. The year ending the 31st of March 1867 is, in the ordinary course of matters, to be found in the 11th Report of the Inland Revenue Commissioners, from which I take it; and that year was 5,452,261 gallons. Then an Honourable Member of the House moved for a Return about England, Scotland, and Ireland, for the year ending the 31st of December last; but still it is for 12 months; it is an exceptional return, as not ending at the same time, but it is for the same duration; and that return shows 4,983,000 gallons. In giving my figures to the Committee, I took the mean of those two, and called the average of the last two years 5,217,630 gallons. Then, if you compare that with the average of the first four years, it will show a diminution of 1,700,000 gallons. It would not be candid if I were not to inform the Committee that during that time there has been a large increase in the duty charged upon spirits, and that will have a certain influence, but how much it is difficult for me to say.

2693. Mr. *Locke*.] It was raised from 3s. 8d. up to 10s., was it not?—The 3s. 8d. duty did not 0.69.

commence quite as late as that; I could give the Committee a statement of the duty for each year, if they desire to have it.

2694. *Chairman*.] Generally speaking, the price of whisky is about double what it was 14 years ago, is it not?—No, I think not so much. The duty just now is 10s. a gallon; it was 8s. for a considerable time, and 6s. 8d. for a considerable time, and therefore the price of the article cannot possibly have increased to so much as double.

2695. Mr. *Locke*.] What was it in 1853?—In 1851, 1852, and 1853, it was 3s. 8d.; in the middle of 1853 it was increased to 4s. 8d.; and in 1854 it was 4s. 8d. Therefore, when the Forbes Mackenzie Act came into operation, the duty was 4s. 8d. In 1855, the very next year, it was increased to 6s.; and then in the next year again it was increased to 8s.; so that it was only before 1855 that it was under 8s. Then, in making a comparison between 1856 and the present time, you must only take the increase at 2s. a gallon, which is a very small thing; because it is well known, and it is acknowledged by everybody connected with the trade, that into three gallons of proof spirits they will put one gallon of water. I do not mention that as if it were a fraud; but it is a matter of notoriety, it is one of the profits of trade. It diminishes the increase of 2s. by one-third, if you add one-third of water, which costs nothing; and of course you cannot say that there is an increase of 2s. a gallon on the water.

2696. I suppose they always put water to it, did they not?—Yes, always before the duty was raised; only you must not count the duty of 2s. as all paid for whisky, because in four gallons as it is sold, you pay 6s. of increased duty on three gallons of whisky, but you pay no increase of duty upon the fourth gallon which is sold as whisky, so that you must divide in fairness the four gallons as it is sold by 6s. of duty upon the four gallons, which is really only 1s. 6d. a gallon of increase.

2697. The same would occur with regard to the 3s. 8d., would it not?—It did; I merely give the Committee the facts, it is not for me to argue upon them.

2698. Mr. *Yorke*.] If I understand these figures rightly, in the year 1856 the duty was 8s. a gallon, and the consumption was 4,893,000 gallons?—That was the average.

2699. And in 1867, with a duty of 10s. a gallon, the consumption had increased to 5,452,000 gallons?—Yes; but from 1856 to 1860 the duty was 8s., and since 1860 it has always been 10s.

2700. Mr. *Knatchbull-Hugessen*.] The result is, that with an increase of duty there has been an increase of consumption?—No, a diminution of consumption.

2701. Mr. *Yorke*.] In the year 1860, I understand you, when the duty stood at 8s. a gallon, the average consumption was 4,893,000 gallons?—Yes.

2702. In 1867, with the duty at 10s. a gallon, the consumption had increased to 5,452,000 gallons, making an increase of nearly 700,000 gallons?—Yes. Then in the following year ending the 31st of December last, it had fallen to 4,983,000 gallons. I have the figures from the return issued yesterday, for the year ending the 31st of December 1867, which is nine months later than the return for the year ending the 31st of March 1867.

2703. What are the figures for those 12 months?

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months?—Four million nine hundred and eighty three thousand gallons.

2704. That would show a slight increase still upon the year 1856, would it not?—I have not given you the year 1856 by itself, but the average of four years, of which 1856 is one, but I can give you 1856, if you wish it separately.

2705. *Mr. John Abel Smith.*] Would not the increase of population be more than a set off against the increase of duty?—The population in Scotland increased less than in England; less than one per cent. per annum, and of course that does not make much difference in a few years, but if you take it for some 16 years, it makes a considerable difference.

2706. Since 1852 up to 1868, I think I understood you to say that you estimated the increase of population in Scotland at something like one-eighth?—Yes.

2707. And that must be borne in mind, must it not, in estimating the consumption?—Yes; but I was asked respecting the last few years, and it was to that question that my answer applied. During 16 years, of course, there has been a considerable increase of population.

2708. *Mr. Yorke.*] There was considerable distress in Glasgow and that district, I think, at one period, some few years ago; at what time would you say that that distress was greatest?—I could not undertake to say from memory. There is a disturbing element in all these matters, which the Committee, if they think it worth inquiring into, would do well to keep in view, and that is the speculations based upon the probable advance of duty. In some of those years large quantities of spirits were bought previous to the budget, and duty paid upon them, which was not all consumed during that time. At one time it got abroad that there was to be an advance in the duty; some curious stories were circulated about it at the time, I remember, and very large quantities of spirits were paid duty upon, just as happened the other day in the case of tea, 200,000*l.* or 300,000*l.* duty was paid upon tea before the Chancellor of the Exchequer made his speech. I forgot to mention that this is the reason why I have taken the average of four years, because that allows the disturbing influence to right itself, and while I have given you each year for everything else, I have given you the average of four years regarding spirits.

2709. *Mr. Horsfall.*] Can you give the Committee any information as to the extent of foreign spirits which are consumed, as compared with home spirits?—No, I do not know, except for the years in which it was given in the Report of the Royal Commission, and a few of the earlier years; but this new cheap foreign spirit which I have been speaking of, has only been introduced within the last few years.

2710. *Mr. Roebuck.*] Do you know what that foreign spirit is made from?—I believe it is made from potatoes and turnips, and all sorts of rubbish; they can distil whiskey of a certain kind out of almost anything.

2711. *Mr. Baines.*] What year was it that the duty was raised to 10*s.*?—In 1860 it was raised to 10*s.*

2712. What year was it raised to 8*s.*?—In 1856. If the Committee take the average of the first four years, it is nearly 7,000,000 gallons; and even taking the highest of the late years at nearly five millions and a-half, there is still a

diminution of one million and a-half gallons, with an increase of the population.

2713. You stated that there was an increase of one-eighth in the population; was that for Edinburgh or for Scotland?—I stated it for Edinburgh; but anyone can see from the census returns what the increase has been in Scotland. I should think, speaking roughly, that you might say one-eighth; but it can easily be ascertained by reference to the Reports of the Registrar General of the census.

2714. *Chairman.*] With reference to a question which was asked you by a Member of the Committee just now, I observe that in the Report of the Royal Commission upon the Forbes Mackenzie Act, they give the comparative consumption of British, foreign, and colonial spirits for all the years between 1850 and 1858, so that it might be supposed, therefore, that the operation of the new spirits which you mentioned began to give something like a fair comparison?—Yes, and there was no increase in the consumption of foreign or colonial spirits during those years. The quantity of foreign spirits consumed at that time was very small, and had not increased.

2715. These were the figures, I believe, in one period of five years ending January 1854: 34,500,000 gallons of British spirits, 462,000 gallons of foreign spirits, and 981,000 of colonial spirits; and in the period of five years ending on the 31st of December 1858, the consumption was nearly 28,000,000 gallons of British spirits, 411,000 of foreign, and 691,000 of colonial?—Yes; I have no doubt that those figures are correct.

2716. *Mr. John Abel Smith.*] Have you no other table to bring before the Committee?—Yes; I have a list here of the number of commitments for offences of all kinds in Edinburgh in each year, but I think I have given the Committee all the facts which I thought important.

2717. Is the result of your experience strongly in favour of restrictive laws upon the consumption of spirits?—Very strongly.

2718. Do you believe that drunkenness is diminished in the same degree that restriction exists?—I think it is.

2719. At the same time, as you are aware, restriction is stated in Scotland to have created a very large amount of illicit drinking?—Yes; that statement has been very strenuously made.

2720. Do you believe it to be true?—I am not aware that any very great increase has taken place, comparing one period with another, but I believe there always has been, and always will be, illicit drinking in small disreputable houses in low neighbourhoods.

2721. Are those the places what you call by the name of shebeens?—Yes.

2722. Do you believe that the amount of illicit drinking bears any comparison to the amount of drinking that is checked by restriction?—No; I do not think it can possibly bear any comparison to it, because if the drinking was the same, of course the quantity of spirits consumed would be the same; and then the manifestation in the public streets would be the same, because a man would not be the less drunk because he swallowed half-a-pint of spirits at home than by swallowing it in a public-house.

2723. Do you believe that the habit of drinking amongst women has increased?—I have no means of knowing that.

2724. Do

2724. Do you believe that the general opinion of the more respectable of the working classes has undergone any change of late years with reference to restrictions on drinking?—In so far as I know anything of the opinions of the working classes in Edinburgh, they are very much in favour of the present state of the law; and I think that they cordially work with the magistrates; they are above the influence of the public-house circle; they have no theory to support, and, as far as I know, they do not trouble themselves much about theoretical principles, but just look at the facts; and I think if you were to poll the working-classes of Edinburgh, an enormous majority of them would be in favour of the present state of the law.

2725. Do not you think that such a feeling is based upon very respectable motives?—I have no doubt that it must be.

2726. And, therefore, is deserving attention by a legislator?—Certainly.

2727. And are you convinced that public opinion, as a whole in Scotland, would regret and resist any return to the previous system of unrestricted drinking, or at least with a very limited restriction?—I think it would; the working-classes have manifested their repugnance to public-houses in many ways at the licensing courts; for instance, they have got up memorials to the magistrates not to license certain known houses; there was one instance very lately of that kind; and they look upon them as a sort of snares or traps that put temptation in their way, and they would rather avoid the temptation if they could.

2728. Have you ever turned your attention to the amount of drinking on Saturday night, as bearing upon Sunday drinking, and should you consider it very desirable to limit on Saturday night the hours during which the public-houses are open?—Yes, I think the hours of opening should be limited all the week through; I do not mean to speak of what the public feeling is in London or in England, with which I am not acquainted; but I should state, for the information of the Committee, that the authorities in Edinburgh procured a clause in the Police Act of 1848, restricting the hours of keeping public-houses and spirit shops open after 11 at night, and there was then no question of the Forbes Mackenzie Act, or anything about it; that was adopted as a proper police regulation, and that Act has been in force all along since 1848, and is in force still; and if the Forbes Mackenzie Act were repealed to-morrow, under the Edinburgh Police Act, so far as regards the six days in the week, there would be no change in the law.

2729. Do I understand you, that public-houses in Edinburgh are open until 11 o'clock on Saturday evening?—Yes, every evening except Sunday.

2730. Do you consider that it would be a very wise and salutary regulation if on Saturday evening there was an earlier closing?—It is a question which I have not turned my attention to; I should think that uniformity is perhaps the best way; where you have very exceptional rules, I think they are not so apt to be generally observed, and that in all that kind of legislation we should endeavour to find out what the spirit of the people and of the time is, and legislate according to what the public would really help the local authorities to carry into effect.

2731. You do not hesitate to give the conclusion of your judgment, having paid a long attention to the subject, that the restrictions on drinking now existing in Scotland have produced

great improvement amongst the population, and that the general feeling in the country would resist any return to the former system?—Yes, that is very decidedly my opinion.

2732. Mr. Baines.] I wish to test what you think is the general opinion of the people of Scotland with regard to the working of the Forbes Mackenzie Act, by asking especially what you believe to be, from what you have seen of the evidence before the Royal Commission, and what you know as a magistrate and a Member of Parliament, the opinion with reference to the working of the Forbes Mackenzie Act, of those five classes; first of all with regard to the magistrates, what do you conceive to be the opinion of the magistrates?—I think they generally strongly approve of it; there is a minority among those gentlemen in the Commission of the Peace, who often come and vote against the opinions of the general body, but whenever a division takes place it is unmistakable that the general opinion of those in the Commission of the Peace is for upholding restrictions.

2733. What do you believe to be the opinion of the ministers of religion of all denominations?—I believe that there is not a minister of any denomination in Edinburgh who does not cordially approve of it; I know, on very good authority, that Roman Catholic priests are very deeply impressed with the value of it, and I know that the Protestant ministers are the same; I never heard of any minister that had any doubts upon the subject.

2734. Do you think that that applies to Scotland generally as well as to Edinburgh?—Yes, to Scotland generally.

2735. What do you believe to be the opinion of the Sunday school teachers throughout Scotland on the subject?—I read from that minute to which I have referred, that 1,200 of them signed a memorial to myself, when I was chief magistrate of Edinburgh, praying that I would exercise my authority to bring about this change, and I know a good deal about their feelings; one of my own sons is a Sunday school teacher, and has been so for many years, and is now superintendent of a large school; and I know as much as most people about them; and believe that, to a man, the Sunday school teachers would support this kind of legislation.

2736. Do you speak now of Edinburgh alone, or of Scotland generally?—My knowledge of this class of men is not such as would entitle me to speak of Scotland generally, but I speak inferentially from knowing about Edinburgh, and I think that it would be the same throughout Scotland.

2737. You have spoken of the enormous majority of the people in Edinburgh who are in favour of this Act; have you any means of judging by what took place before the Commission on the Forbes Mackenzie Act or otherwise, of the general opinion of the working classes throughout Scotland?—I believe that the general opinion of the working classes throughout Scotland is entirely favourable to this kind of legislation; I believe that a very large majority of them are of that opinion. I have read through the Report of the Royal Commission and most of the evidence; I was a witness examined before it in Edinburgh, and I know pretty well the reception the Commission met with in different places, and the efforts that were made to get up a sort of spurious public opinion against the system of legislation which I have described, but it always

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failed; the public voice came out unmistakably in favour of restrictive legislation.

2738. What do you think is the opinion of the women upon this subject?—I should think that if there be any difference, the women would be more in favour of it than the men, because women who have the misfortune to have drunken husbands suffer a great deal more than any man can suffer.

2739. You have stated that there was an increase of population in Scotland, but I wish to know from you, who has paid very great attention to such subjects, whether that was not merely an increase in population, but whether there was not merely an increase in the population, but an increase in the private incomes and in the general prosperity and rate of wages of the working classes?—Yes, there has been a most extraordinary increase in the wealth and prosperity of Scotland during the period of 16 years to which my table refers; it is proved by the Income-tax returns, by the number of 10 *l.* electors for example, by the number of persons who pay house duty, and the increase of wages is quite notorious, unless in a particular year of depression. For instance, with regard to all the men employed in connection with building houses, masons, plasterers, joiners, gasfitters, glaziers, and all that class of people, their wages have largely increased.

2740. Would the natural tendency of a large increase in the wages of the working classes be to increase the consumption of spirits or otherwise?—All my information and observation leads me to believe that when wages are good and men have plenty of money to spend, they do spend considerably more in the public-houses than when trade is dull and their income small.

2741. Are you aware that the consumption of spirits is very frequently referred to in Parliament by distinguished Members of Parliament as evidence either of prosperity or of distress, if it is large of prosperity and if it is small of distress?—Yes; I am aware of that.

2742. So that we might have expected from this increase of population, and with this increase of the means of the population, a two-fold increase in the consumption of spirits if it had not been met by some counteracting cause?—Yes; had there been no change in any other respect, I should have expected to have seen a large increase over the 6,900,000 gallons that were consumed on the average of four years before the Act came into operation; I should have expected to have seen that figure very largely increased from the increase of population and the increase of prosperity.

2743. *Mr. Malcolm.*] Do those figures which you have been giving refer entirely to the consumption of spirits?—Entirely.

2744. Do you consider that the consumption of beer has increased largely within the last few years in Scotland?—I have no doubt that it has.

2745. In fact, that in a great measure beer amongst the working population is putting out the use of spirits, comparing, we will say, the present time with what it was six or seven years ago?—I should not think that it was amongst the working classes; they are not in the habit of drinking much beer, but I should think it was more especially amongst the middle classes of people; I think the working classes generally like the stimulant of spirits; but there is no possibility of getting accurate information about the quantity of beer consumed; I have tried it in different ways, and the difficulty is this: you get the quantity of malt converted into beer, which

is very easily got, but there are large houses in Edinburgh whose principal trade is in making beer in Edinburgh and sending it to the London market, and others who send it abroad; and then there is no excise return, showing the result; the excise do not follow the beer, and they do not know what is sent to London; you can learn how much of it goes abroad, because you get the drawback, and that is easily arrived at. Then there is the countervailing difficulty that there are two large houses, Bass and Allsopp, who make beer in England and send considerable quantities of it to Scotland; you would require to get at that also, but from anything that I know, the quantity sent out of Scotland is enormously greater than the quantity that comes into Scotland.

2746. Without going into statistics at all, I merely wish to ask whether it is your opinion that the consumption of beer is increasing amongst the lower and middle classes in Scotland?—Yes, I think it is; beer was the ancient drink in Scotland; it is not much more than a century and a-half since whisky began to be used to any considerable extent; beer and wine were the beverages of Scotland.

2747. You speak of the working classes of Edinburgh, and generally of the working classes in Scotland being in favour of this strict legislation on Sunday; do not you consider that there is a considerable difference in the general character of our Scotch people, compared to the English people, with regard to the observance of the Sabbath day altogether; do not you think that from other reasons unconnected with drinking altogether, they are predisposed in favour of a stricter observance of the Sabbath than what you might meet with generally throughout England?—Yes, I think it is so; there are stricter views in Scotland than there are in England.

2748. And that would naturally predispose them to observe any of those laws more readily than would be the case in England?—I, perhaps, should not carry it so far as the question implies, because I have observed that when towns have been tested there has been a similar result; for example, I lived at Clifton one winter, and there was a sort of census taken there which I heard about, and it turned out from inquiries that were made, that there was as large a proportion of working men who were against public-houses, and who would suppress them to a large extent, and some of them altogether, as I could have believed was the case in any part of Scotland; and I have seen similar returns got up from other English towns, so that I would wish to distinguish in my answer between the feeling about the observance of Sunday and any feeling in favour of closing public-houses; I think that the feeling in favour of the observance of Sunday would be much stronger in Scotland than in England, but I do not think that the feeling about public-houses is in the same ratio of difference, so far as I have had an opportunity of judging.

2749. I mean that that would rather predispose Scotland, as a rule, to fall in with any strict legislation upon the subject?—Yes, I think so.

2750. *Mr. Locke.*] I understand that the alteration made by the Forbes Mackenzie Act, in point of fact, only applied to Sunday?—So far as the City of Edinburgh is concerned.

2751. The magistrates having before the passing of that Act made a regulation, which was the same as the Act was made to enforce with regard to week days?—Yes, but it was not so in other parts of Scotland, only in Edinburgh; it was not so as to closing

closing at 11 o'clock on week days; at least, as far as I know, there was nothing in the general law of Scotland about it, and if any other town had that power, it must have been under a special Act.

2752. Is this a correct summary of the increase of duty, that the effect of the increase of duty as between 1853 and the present time has been almost exactly to double the price of whisky to the consumer?—That is rather an inference than a fact; I have stated what the duty was and what it is; in 1853 it was 3*s.* 8*d.* and 4*s.* 8*d.*, and it is now 10*s.* I suppose that that could not double the price of a gallon of whisky.

2753. Are you aware what the price of a gallon of whisky was before 1853, and what it is now?—There are two kinds of whisky; there is malt whisky, and there is what is called grain whisky; and I believe that they can make whisky from grain as low as 1*s.* 6*d.* per gallon; but I suppose good malt whisky is four, or five, or six shillings, but I am not conversant with it; I have not had whisky in my house for consumption, as a beverage, for many years, so that I am the worst person to apply to for information upon that point. I have bought it, but not lately.

2754. Is not this quite clear, that with regard to spirits the duty regulates the price, as it used to be with respect to foreign brandy, although it does not regulate it as much as it ought?—Yes; it is a most important element in the price, but still the question occurs whether a person having a taste for spirits, would be deterred by a small advance in price.

2755. Supposing he had the very worst whisky that ever was manufactured, the duty upon that whisky would be precisely the same, would it not?—Yes; but supposing a man drinks two or three glasses of whisky, you would be surprised how little the advance of duty amounts to on those two or three glasses. You see, there are 14 glasses in a bottle, and there are six bottles in a gallon; that is 84 glasses, supposing there was no adulteration at all; but you may say that, by adding one-third of water, there are 112 glasses of whisky in a gallon, with the water that is put in. If you increase the duty from 8*s.* to 10*s.* a gallon, it is only 2*s.* divided into 112 parts, being the increased cost of each glass; and that it is a very infinitesimal thing in deterring a man who is really desirous to get drink.

2756. It is merely the same sort of rule-of-three sum, is it not, as if you talked about a gallon, except that you put in water, but do not consume so much?—Hardly so; in other things we buy quantities of articles and consume quantities, but in a stimulant like this, I think it is always a question how much additional does the debauch cost. If it only cost a 1*d.*, or 1½*d.*, or 2*d.* a head, which it could not do more with any ordinary degree of drinking, it would be very difficult to say that the increase had any great deterring influence upon the class of drinkers.

2757. You are not, I presume, aware of how much the publicans in Edinburgh have raised it per glass, that is to say, what it was per glass before 1853, and what it is now?—No.

2758. I think I understood you to say that they always put water in it?—Yes.

2759. Therefore, the comparison would be perfect between now and then?—Yes.

2760. You have been asked whether the consumption of beer in Scotland has not increased to a very great extent. I would ask you whether the consumption of wine in Scotland has not doubled?—I do not remember the figures, but you can easily
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get them from the Report of the Customs, where I read them lately. I think it has not doubled; most certainly it has not doubled in the United Kingdom, and I should doubt if it had in Scotland. *D. M'Laren, Esq., M.P.*
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2761. But you are aware that it has increased very much from the casual way in which you have looked at those returns?—Yes.

2762. Are you aware what the amount now paid annually in Scotland for whisky is?—If the consumption is 5,000,000 gallons, the excise duty will be 2,500,000*l.*, because it is exactly 10*s.* a gallon; then you have to add to that, the price of the whisky itself; and supposing that the whisky were worth 5*s.* a gallon, on the average, then it would be 2,500,000*l.* plus 1,250,000*l.*, or 3,750,000*l.* would be the wholesale price of the whisky; then you must add the enormous profit which the retailers are understood to charge upon it; I cannot speak as to that, but the Committee may form an opinion for themselves.

2763. But you would be able to say whether this is a correct calculation, that the amount now paid annually in Scotland for whisky, is about 1,300,000*l.* more than was paid before the passing of the Forbes Mackenzie Act, in the year 1853?—I could not give an opinion about that.

2764. If that were correct, that increase would be equal, would it not, to the whole produce of a 1*s.* 4*d.* in the pound Income tax, over all kinds of incomes in Scotland?—That cannot possibly be true; every penny in the United Kingdom adds about 1,250,000*l.* to the revenue, and supposing the cost of whisky had increased by 1,250,000*l.* in Scotland, I cannot see how it could possibly require 1*s.* 4*d.* in the pound to be added to the Income tax in Scotland, to make that up.

2765. Have you compared the consumption in Scotland with the consumption in Ireland, in relation to the population?—No, I have not; I have looked at the Irish returns, and they are considerably smaller than in Scotland; but last year there was a considerable increase, if I recollect rightly, and there is an enormous number of excise prosecutions in Ireland, showing that smuggling is very extensively practised there, whereas there are very few such prosecutions in Scotland, showing that the people who drink whisky honestly pay the duty upon it.

2766. But you have such places, have you not, as illicit stills in Scotland?—There are scarcely any now, there are shebeens, where spirits are sold, without paying the license for selling; but then I apprehend they all buy it from the shops in which the duty has been paid.

2767. Can you say whether by the last returns there are 3,000,000 of Scotchmen, who altogether consumed 5,000,000 gallons, whereas the 6,000,000 of Irish people only consume 4,000,000 gallons?—Some years ago they did consume in Ireland only 4,000,000, but I believe they consume considerably more now. Of course I understand these figures just to be rough and round sums, because neither of them are quite correct. The population of Scotland just now is about 3,200,000, and the population of Ireland is only 5,500,000, by the latest returns of the Registrar General.

2768. Is there such a Committee as the Sabbath Observance Committee of the Free Church Presbytery of Edinburgh?—I have no doubt there is; there is a general Sabbath Observance Committee; I am aware of that general Committee, and there may be a special one of the Free Church, but I am not aware of that.

2769. Do you think that this statement is correct, which I am informed was made by them; that
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that they knew of 188 houses in Edinburgh, regularly selling drink on Sundays; and that on one Sunday no fewer than 272 persons had been seen to obtain drink in one only of those houses out of the 188, and yet the police detections for Sunday sales, during the whole year, was only 110; are you aware that that was a report from this Sabbath Observance Committee?—I should not be at all surprised if that were quite correct; I do not know that it is; but it does not stagger me as being an untruthful looking thing; and I may state, as the Members of the Committee will probably have no idea of the number of people who go to those places, that during my period of office as chief magistrate of Edinburgh, before the passing of the Forbes Mackenzie Act, a census was taken, under my advice, of the number of people on Sunday that entered every public-house in Edinburgh, and there were 41,000 persons who entered public-houses on one Sunday; that census was taken in the most careful possible way. Probably some of them might have entered twice, or oftener, and therefore I should have rather said that there were 41,000 visits paid to public-houses.

2770. That was to regular houses?—Yes.

2771. But those houses are illicit houses, that are spoken of here?—Yes.

2772. Then the public-houses being shut, would not it be natural to assume that the people went somewhere else to get their drink; and this statement of this Sabbath Observance Committee of the Free Church Presbytery at Edinburgh rather confirms that view?—Yes; but supposing those houses to exist to the number stated, which I assume to be correct, and I do not in the least disbelieve it, every one of them is more or less watched by the police; and they know that the police could pounce upon them, because they have the power to go in if they like, and if they could prove anything like the sale of spirits, they would be hauled up and fined in very large penalties, not a 40 s. fine, but a very large sum which they are entitled to be fined under the Act; and the probability is that, even in the 181 houses which may each do a little in that way, there would not be a very large aggregate consumption of spirits.

2773. But those houses are ordinary houses, are they not; they have no license of course?—No; and many of them are brothels, and the most disreputable places imaginable, and no stranger could ever find them out.

2774. There is no Act of Parliament, is there, which enables the police to enter those houses in the same way that they are enabled to enter public-houses?—Yes, there is; under the Public-houses Amendment Act, which was carried through by the present Lord Muir, such special power was given to the police.

2775. To enter what description of houses?—Yes; the shebeens.

2776. Do they call them shebeens in the Act of Parliament?—They do.

2777. When you call a place a shebeen, would everybody know what that means; has it a definite meaning like a licensed public-house?—The Committee will not understand that shebeen is the only word in the clause, but I mean that that class of houses is described as shebeens, and the words of the clause are quite sufficient to identify that kind of house; and that power is given. There was a special Act for Edinburgh, passed last year, in which some of these things were made still more stringent, and that Act, I think, was called the Police Improvement Act.

2778. How long has that power been given, because it appears, according to this report which I have referred to, that the police had to enter those houses at their own risk?—After the Report of the Royal Commission, which the Honourable Baronet in the Chair read an extract from, there was an Act passed to amend the Forbes Mackenzie Act, and to give them powers; and I think it was about 1861, but the Act will speak for itself.

2779. *Chairman.*] I believe this is the exact state of things, that previous to the Act of 1861, Mr. Muir's Act, the police could only enter the reputed shebeens at their own risk, just the same as they would enter any private house on suspicion of the law being evaded, but they were liable to severe penalties if they made a mistake; but by the Act of 1861, they were permitted to enter houses where there was good reason to suspect drinking?—Yes, that is so.

2780. It was stated before the Royal Commission, that they had no difficulty in knowing where the shebeens were, by the stream of people who came from them?—That is so.

2781. You admit, do you not, that there has been a great deal of private drinking since the passing of the Forbes Mackenzie Act?—Yes.

2782. And that was stated by a number of witnesses before the Royal Commission?—Yes.

2783. I presume that you do not undervalue the evils which may accrue to families, by the practice of taking home ardent spirits and consuming them in the family?—Of course not, but I am not a believer in that, as being carried on to a very great extent; I do not think that the taking home of spirits to drink in private houses is done to any very great extent.

2784. There was a good deal of evidence given to that effect, was there not, before the Royal Commission?—Yes.

2785. Such evidence as this, which was given by Mr. George List, the head of the police in the country of East Lothian: "When there was a party of colliers or such men" (at the public-house), "we found that, on breaking up, one-third of them would take from the public-house or inn a bottle of whisky. They go to a private house, where the wives, and in a great many instances the younger portion of the family, and young boys who are drawers for them, participate. You see less apparent drunkenness, because the people are not going about, but there are more participating, and the young people are far more complained of now than ever I knew them." There was plenty of evidence of that sort was there not?—Yes; all that I doubt is the degree; the fact is notorious to all the world, that there is private drinking, but I do not believe that it is so very general.

2786. You also would admit that there is a good deal of travelling, sufficient to qualify for the purchase of liquor on Sundays in Scotland; I mean that men go a few miles, and then are able to procure drink, which they could not do if they remained at home?—Yes, they do get it; I doubt whether they go for the purpose of getting it, but they make Sunday excursions, and get drink freely in the small inns that they go to.

2787. I suppose you would even go the length of admitting that women may have taken to drink, who would not have drunk before, from liquor being consumed at home instead of at the public-houses?—I never knew a case of the kind, but it may be so for anything I know.

2788. And yet, after making these admissions,
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you quote facts, and state without hesitation that in Scotland there is a vast diminution of drunkenness on Sunday?—Yes.

2789. And that there is a general acquiescence, without saying a universal acquiescence, in the operation of the Act?—Yes, that is my belief.

2790. Perhaps you will allow me just to bring out my meaning clearly; I do not doubt any of the facts that you have stated, it is only as to the degree or the universality of the things about which I have doubts; my reason for thinking that it cannot be at all universal is this, that the people would not go home to drink without afterwards coming out into the open air; when a man or woman is under the influence of drink they want to get out and go about; and if they drank an equal quantity they would be just as much intoxicated whether the drink was taken in their own houses or in the public-house, and they would be found drunk in the street, and they would be taken to the police office, and would be recorded in these tables which I have referred to. If they are not drunk in the streets, they do not find their way to the police office, and I have therefore no materials to lead me to believe that the drinking can be extensive in private houses.

2791. Even making an allowance for the amount of private drinking, and the evasion of the law which is alleged, have the facts led you to the absolute conclusion that the Act has been successful in a very great degree?—Yes, in a very great degree.

2792. Are you prepared to advise the Committee that the facts which you have so stated and proved would warrant the Committee in expecting similar benefits from its application to London or England generally, or an application to the extent proposed by this Bill?—To England generally, I should say yes; but if the question were as first put, with regard to London alone, I should have some doubt about giving an opinion. I think that London is almost a kingdom of itself; it has the enormous population of 3,000,000, and if every public-house were literally shut up on Sunday in London, as they are in Edinburgh and in Glasgow I am not sure that it would commend itself to the general opinion of the public, and I think that it might possibly lead to disturbances; but I should rather that a man who knew a great deal more about London than I do should answer questions of that kind. Still I would not shrink from giving my opinion when the question has been asked.

2793. Is it not the case that a vast number of persons who do resort to the public-houses in Scotland during the week, and who used to resort to them on Sundays, did so for the purpose of buying spirits?—Yes, and meeting agreeable company. Perhaps living in a small wretched bedroom, they go to the public-house in the winter time, and see a nice blazing fire and gaslights, and a number of people there that they know, and they sit down and enjoy themselves; it is to them just what a club is to gentlemen. It is getting into an atmosphere of a more pleasurable kind, as it were, according to their notions; and I think that that kind of desire for the comforts of a public room and meeting their companions, has far more to do with drunkenness than the mere abstract love of drink; it proceeds mainly from the love of company, I think.

2794. The beverage which they want to drink is generally spirits, is it not?—Yes.

2795. You are no doubt aware, although of course your acquaintance with London life is much less than with that of Edinburgh, that the

chief object of the resort to public-houses in England is by no means generally spirits?—I am aware that it is chiefly beer.

2796. In fact, the habit of beer drinking is almost universal among the working classes, at least in England?—Yes, I have been told by parties who profess to know more about London than I do, that as a general rule the working men who drink, drink beer, and as a rule the women who drink, drink gin.

2797. Is it not the case that the men who resort to public-houses in Scotland are generally looked upon as not a very respectable class?—If they are known to get drunk, of course they are looked upon as not a very respectable class; but I have no doubt that many who are considered very respectable men go occasionally to public-houses.

2798. But if an employer saw a man in his service beginning to go regularly to a public-house and take a glass of whisky, would not he think that he was going to the bad?—I should not say that it would alarm him so much, because it is so common; but if he saw him come to his work with the influence of drink upon him, not absolutely intoxicated, but still evidently under the influence of drink, I think he would form a bad opinion of him, and get rid of him as soon as he could.

2799. Is it not quite common in Scotland, if a man smells of whisky, to think that he is getting into not a very good way?—Yes.

2800. Is it not the case that most respectable workmen in England are in the constant habit of taking beer at certain hours in the day, and that it is a condition of their life?—Yes, so I have been told; that the beer is to them what the soup, or broth, as we call it in Scotland, is, it forms a part of the dinner of the working men.

2801. You stated that in Scotland beer was formerly the beverage of the country; was not that before tea became a general article of consumption?—Yes; there was no tea at all drunk at that time among the general run of people; it was an expensive luxury.

2802. And tea now, being cheap, has taken the place of the Twopenny that used to be drunk in those days?—Yes, to a very large extent; but the Twopenny and the French wine, such as claret, in Scotch history, were the drinks of all classes in Scotland before tea became common.

2803. Would you not make a much greater invasion upon the settled habits of the people of England by shutting-up to them the use of the public-houses where they go to buy their beer, than in Scotland where the public-houses are used for buying spirits; a practice which is looked upon more in the light of a vice?—Yes, I think you would; and, if I remember rightly, there is a clause in the Bill to allow beer to be sold on certain hours on Sunday, to be carried away for consumption at home. In going about London you see now that the people do not all go to the public-houses to drink, because you see servants and children carrying jugs across the streets in all directions, showing that now they take it home; and they could take it home under this Bill, as well as under the other Act, at certain hours.

2804. But you could fancy it being a great change from the usual habits of the people who go to a public-house and have a draw of beer, and drink it fresh, if you positively debarred them on the day in the week, on which they are most at leisure from following their usual practice?—Yes, no doubt the change would be great.

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2805. And you cause see that there is no analogy between the case of such prohibitions in London and in Edinburgh?—I should not say that there was no analogy, but I admit that it would grate more upon the existing habits of the people in the large towns of England, than it did grate upon the habits of the people in Scotland: that is all the length I should carry it.

2806. Mr. *Roebuck.*] Have you had large experience of the working classes in Scotland, during your life?—Yes.

2807. What should you say as to their improvement as a moral and intelligent people during the last 10 years; do you think that their intelligence has improved, and that their morality has improved during that time?—I should not say, perhaps, that 10 years afforded a full comparison; but still I think that the educational element is being developed, and that the men are becoming more sober and more thoughtful and with more reading, gradually rising; but not to any very great extent, I think, in 10 years.

2808. Perhaps not in 10, but 20 years it would be so?—I should say that there is a very great change, if you go back 20 or 30 years.

2809. You have pointed out certain improvements within the last few years, as regards their habits with respect to drink; do not you think that much of that improvement may be attributed, not merely to the Forbes Mackenzie Act, but to their improved habits, generally?—Yes; I think everything of that kind helps: I have no doubt that the circumstances to which you refer have had considerable influence.

2810. There are these observations in the 12th page of the Report of Royal Commissioners for inquiring into the Licensing System, and Sale and Consumption of Exciseable Liquors in Scotland: "We are, however, led by the evidence given before us to attribute to other causes, besides the increase in the price of spirits, the decided change for the better which has taken place among the working classes in all parts of the country. The zealous labours of the churches of all denominations in supporting Home Missions, and other similar agencies have been attended with most beneficial results; the spread of education, and the extension of a cheap literature adapted to the wants and requirements of the people, aided by the establishment of lectures, reading-rooms, and schemes of rational recreation have done much to withdraw the operatives from the public-house. Benefit has also resulted from the practice (which it is to be wished were more general) of paying the wages of workmen at other times than on Saturday afternoons, and from the keepers of provisions stores in connection with the public works having, in many instances, ceased to sell spirits; nor do we undervalue the effects which have been produced by the exertions of temperance and total abstinence societies in reclaiming many persons from confirmed habits of drinking, and in preventing a still larger number from acquiring them." What I want to ask you is this, whether there has not been a great improvement in the habits of the people, totally apart from any influence of legislation?—I have no doubt whatever that that statement is correct, but how far the causes referred to operate, I cannot tell.

2811. So that, so far as that goes, it goes to diminish the effect of the conclusion which you drew from the statistics which you mentioned at the commencement of your evidence?—Yes; but if the Committee understood me to mean

that everything in the way of improvement flowed from the Forbes Mackenzie Act, that certainly was not my meaning; and I warned them that there had been an increase of the duty, which was one countervailing influence. I did not at all mean to convey the impression that the whole of it arose from the Forbes Mackenzie Act.

2812. I was merely bringing to your mind that there are other influences besides legislative influences which have been very seriously at work during the years of which you speak?—Yes, no doubt.

2813. So that we may say that the general habits of the whole Scottish people have very much improved, that their intelligence has been increased, and that the better morality of the people is attributable in a certain degree to other influences than legislative influences?—Yes, I quite agree in all that; but the only qualification that I made was about its being during the last 10 years. And your quotation departed from that period, because the Commissioners are speaking of a period anterior to 1860. All that class of improvement has been going on during my own recollection, which is now pretty considerable, and yet the consumption of spirits was rapidly being increased during the earlier portion of that time, while all this education process was going on; and therefore when that change in the legislation took place, and one saw a rapid diminution, I think that one is logically entitled to infer that that legislation had a very considerable influence in contributing to the change; but I do not say all the influence. For example, I think that 25 years ago, the improvements were going on pretty much the same as they are now going on in Scotland in all those educational matters. I believe that the temperance societies are now much more powerful than they were then; but all those mission agencies and schools, and lectures, and mechanics' institutes, and all that class of moral machinery, if I may so call it, was in full operation, and yet the quantity of spirits consumed was being increased during the earlier portion of that time.

2814. Do not you suppose that those moral influences have rather increased in power within the last few years?—I should think that must have been the case, as there is gradually more and more benevolence; a great many men of wealth contribute out of their means for these purposes every year, and there is more done this year than was done last year.

2815. But this beneficial influence being followed by those beneficial consequences, with the exception of a diminution of drinking, would not that lead you to think that this which you would call the evil influences of drink have been rather exaggerated in your mind?—I do not think so.

2816. Because you see the people have been improved, and you say that the drinking has been increasing, but in spite of that increased drinking, their moral habits have very much improved, and therefore do not you think that you rather exaggerate the mischievous influence of that over-drinking that you talk of?—I think that many of our best educated men do not think it is wrong to take a moderate quantity of drink; it does not injure their reputation among their neighbours; they may be good moral characters, and drink a good deal of spirits, or wine, or anything else; and I think that the one set of facts is not inconsistent with the other set. I have known a great deal about the working classes for the last 50 years, and have lived in the midst of them,

men, and have been connected with all sorts of committees, and societies and associations and meetings, and I believe that during all that time there has been great educational progress going on gradually; but I should say that, during the last 25 years, very much more has been done than during the first 25 years.

2817. In your own rank of life you must have seen a very great change in habits of drinking?—Yes.

2818. We drink very much do we not, less than our fathers and grandfathers drank?—Yes.

2819. And that beneficial effect has all been produced without the aid of legislation?—It has.

2820. Do not you think that something of the same sort of influence is going on in other ranks of life?—I have no doubt that it is; even the very force of imitation from masters and employers on working men must have a quiet operative influence to a certain extent; but then it is always a question of degree, how much, and how far?

2821. You made the observation, that the public-house was the club-house of the working-man, that he went there for a better sort of atmosphere, for the pleasure of society, and that he met pleasant friends there; all that pleasure I presume you conceive to be very harmless pleasure?—If they do not carry it to excess, which we know they often do; but if a man goes and gets a glass from a neighbour, he gives him one in return, and then they get a third and a fourth, and a fifth, and it ends by some of the company, or perhaps all of them, getting drunk; I look upon it as a place of danger and temptation, and so far as any influence of mine could extend, I should advise every working man not to go there at all.

2822. Would you apply that to your own class; would you say that a club-house was a place of danger for what is called a gentleman?—I believe that it would not be amiss if there were fewer club-houses, and if fewer people attended them.

2823. That is your own particular opinion, and it is mine, because I do not very often attend club-house; I do not think I have been in a club-house for the last three or four years, but it would be a diminution of the pleasure, and the harmless pleasure of a large number, if you were to say to the gentlemen: "Shut up your club-house on the Sunday"?—Yes.

2824. Do you not think it is a diminution of the harmless pleasure of a much larger class to shut up the public-house on Sunday?—You see we diverge at the point of the meaning of the word "harmless." I do not think that the public-house is a harmless pleasure; I think it is a very dangerous pleasure.

2825. But there may be a harmless pleasure in public-house, may there not?—There may be.

2826. And it is only when men carry drinking to excess that that which is otherwise a place of harmless pleasure becomes a dangerous place?—We must judge, I apprehend, by the general result. As a general rule you never are afraid of seeing crowds of people going to or coming from churches; you do not find any of them drunk; but if you look at the public-houses when they are shut at 11 at night, and see the stream of people that come out of them, you will always find a considerable number of them that you know quite well from their looks, are very much the worse for what they have been doing there.

2827. That is merely saying that a man mis-

uses a thing which otherwise used is a happiness to him, but that pleasure which you talk of from a man meeting an amusing friend and enjoying his conversation is surely a thing which, if it could be enjoyed without the mischief of drunkenness, you would not deprive a working man if you could help it, would you?—No; I would just look at the general result, and if I saw that legislation for closing the public-houses in England on Sunday was likely to promote the social and moral benefits of the working classes, and if I was satisfied that that was the opinion of the working classes themselves I would, with all my heart, vote for an Act to effect that object.

2828. We must be very careful that we do not excite feelings of anger while doing this, must we not?—I quite admit that.

2829. You may look at it in that light, but the working man, looking at it in another light, would say to you: "Why do not you apply the same rule to yourselves that you apply to us;" and you recollect that you are running this danger by indulging in this species of legislation?—But my impression is, that if you had a working man's parliament, from which all other than the working men were excluded, they would be in favour of some such legislation as this; I do not speak of London, but taking all England, I believe that a great majority of the working classes would approve of some legislation of this kind.

2830. And yet we hear of a very large class of them petitioning Parliament not to pass such a Bill as this?—Yes; but we know what influences are at work in getting up such petitions; the publicans and those connected with them have very great influence in getting up petitions.

2831. There are other classes, are there not, who have a great interest in getting up opposite petitions?—I quite admit that.

2832. Therefore, those are quantities that obliterate one another?—No, not quite, I think; petitions are not to be considered as impartial witnesses on either side; but still they are entitled to great weight.

2833. There are very large numbers who are opposed to this class legislation, and a wise legislator would be very careful, would he not, of the influence of his law upon the minds of these people?—No doubt; but I think that the two classes of petitions are not exactly in the same position; the publicans imagine that they have an interest in repressing this kind of legislation, and in getting up petitions they suppose they are promoting their personal interests; whereas those on the other side who get up petitions have no personal interest to promote; they are spending their time and their money in what they believe to be a labour of love for the good of their fellow-creatures.

2834. Do not suppose that I am impugning the motives of the large class who are doing this; I believe that a very large class of them are acting from purely philanthropic motives; but, at the same time, I cannot quite hide from my view the fact that there is great personal pleasure and self dignity created within a man by supposing that he leads a large number of people; and we know that that class of motives may induce a great number of people to get up such petitions as those that we have been talking of?—No doubt.

2835. Mr. *Horsfall*.] I think, in reply to a question put by the Honourable Chairman, you gave it as your opinion that the principle of the law now in force in Scotland might be applied to this

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this country, excepting in London, and you afterwards qualified that by adding other large towns?—I did not mean to qualify it by adding other large towns; my belief is that it might safely and advantageously be applied in every town in the United Kingdom, with, perhaps, the exception of London; and I said that I would not like to give an opinion about London for want of sufficient local knowledge.

2836. But why do you think there might be any exception so far as regards London?—From what I have been told and what I have seen about the enormous number of people in London, who have, properly speaking, no houses of their own, but who live in a single apartment, and who take their meals, as it were, in or about the public-houses or other public places established for that purpose, and that it is just a part of their being in London to get their meals in those houses: and then if you were to shut all those houses up suddenly on the Sunday, it might disturb half-a-million of people in all their family arrangements very seriously, and that might excite such a feeling of irritation as would be exceedingly inconvenient for those who have the charge of local matters. I am fairly answering your question, and telling you what the reasons were in my mind for not wishing to give an opinion about London; but I would have no hesitation at all about Liverpool or Manchester, any more than I would have about Glasgow or about Edinburgh.

2837. But irrespective of the public-houses of which you speak in London, are you not aware that there are refreshment-houses which are open for parties going to dine without the necessity of going to a public-house?—Yes, I included all those in my observation; I said public-houses and places of that kind, where they practically take their meals in place of doing it in their own houses.

2838. Will you be so good as to state to the Committee, if you can, what is the difference in the number of cases of drunkenness arising out of public-houses and out of beer-houses in Edinburgh?—There is hardly such a thing as a beer-house in Edinburgh; I should doubt whether there are 20 persons in Edinburgh with a license to sell beer alone; they do not think it worth while; the public-house sells beer and spirits also.

2839. *Mr. Knatchbull Hugesson.*] In answer to a question put to you by the Honourable Member for Sheffield, you stated, that although you attributed the decrease of drunkenness in Scotland mainly to the restriction, yet you at the same time thought there was something to be attributed to the social and moral progress for which Scotchmen are so distinguished?—I did state that.

2840. Do you think, as a general rule, that restriction is or is not likely to be followed by evasion?—It is certain to be followed by evasion in every case, to some extent.

2841. Then you would admit that there has been an evasion, as shown by the drinking in private houses, but you would differ from what has been stated to this Committee as to the extent of this evasion?—Yes.

2842. Do you think that Sunday in Edinburgh is considered as a holiday by the working classes?—No, not as a holiday in the way of enjoyment; the general public opinion does not sanction that view of Sunday at all.

2843. There would be a radical difference, would there not, between the way in which

Sunday is considered by the working classes in Edinburgh, and by the working classes in the large towns in England?—I gave no opinion about the view which the working classes in the large towns of England take of it. I am not aware that the working classes in the large towns of England view Sunday merely as a holiday for recreation or amusement; for the way in which chapels and churches are crowded shows that a very large number do not take that view.

2844. Is it the practice of the working classes in Edinburgh to indulge in the same kind of excursions as are indulged in by the working classes in London and other large towns in England?—There is a marked difference between the habits of the people; there is not the excursion traffic in Scotland in anything like the degree that there is in England.

2845. When the Forbes Mackenzie Act was adopted in Scotland, were there any public meetings, or any manifestations against it at all?—I do not remember any. I am pretty sure that there were not in Edinburgh. I think it passed with general acquiescence.

2846. You are aware, are you not, that in England when certain restrictions have been attempted, they have been followed with considerable manifestations of public opinion against them?—Yes, I have understood so.

2847. Therefore it does not follow that that which has been in consonance with the public opinion of the operative class in Scotland would be in consonance with the public opinion of the same class in England?—No; and hence any remark in the course of my examination that in any legislation of this kind I thought care should be taken to ascertain what was the opinion of those people who would be affected, and to try to legislate in a spirit which they would tacitly or actively support.

2848. Having passed an opinion upon the petitions which would show that you are not very favourable to ascertaining the opinion of people by that means, have you in your own mind any plan by which the feeling of those classes could be accurately ascertained?—I have observed by the public prints, and I have been told by parties, that a house to house visitation has taken place in many towns; that respectable men go round with a schedule for shutting up, or for not shutting up, who take down the name of every person, and they sum up the columns; in a minute or two minutes, which their call occupies in each case, there is no time for argument or persuasion; it is not a thing of any importance to any one individually, and I should therefore think that the result of that kind of analysis of the public opinion might be depended upon as very accurate upon the whole.

2849. You have stated that that upon some particular Sunday, before the introduction of the Forbes Mackenzie Act, 41,000 persons entered the public-houses in Edinburgh; was that followed by any statistics as to the number of complaints made in the police court on the next day?—No, it was not a Sunday out of the ordinary rule; it was not selected as a Sunday when such cases were specially expected to occur, but as the ordinary state of things on every Sunday.

2850. Having ascertained that an average of 41,000 persons entered the public-houses of Edinburgh on a Sunday, can you give us the average number of cases of drunkenness brought before the police court on Monday?—It must have been in 1852 when the census was taken, and there were

re then 776 found drunk on the Mondays of that year, and on the Mondays of 1867 there were 200 found drunk.

2851. That would be something less than 10 per cent. of the people who were in the public-houses?—Yes, if you supposed that they were all different persons, but many of those people would probably pay two or three visits; there would be nearly as many persons as there were visits.

2852. Taking it at the very outside as 3 per cent. do you think that it is right that, in order to remove temptation from 3 per cent. of the number of the whole attending public-houses, you should inflict upon the 97 per cent. the disadvantage of not being able to get their drink on a Sunday?—I should not view it as a disadvantage; I should expect, in legislating for them, that I was conferring a benefit upon them.

2853. But would not the 97 per cent. themselves call it a disadvantage?—I am not sure of that; I have heard many of them say the opposite, that they have been tempted to go into the public-houses when they saw them open, which they would not have thought of doing if they had been shut, because the feeling would not have come across their minds.

2854. I think you have shown us figures by which you wish to prove that the consumption of Scotch spirits has somewhat decreased in Scotland during a given period of years; is not that quite incompatible with the fact that the consumption of beer, foreign spirits, and wine, has so increased, that, in truth, the people of Scotland at the present moment drink as much, and perhaps a great deal more than they drank before the restrictive system came into operation?—If your statement were proved in the same way that my statement about the consumption of spirits has been proved, then I should admit it; but I have not only not proved it, but I have never seen it attempted to be proved, with anything like success, that such was the state of things.

2855. But still you admit that that is a very plausible explanation, because you have admitted that there is an increase in the sale of foreign spirits?—I have no doubt of it.

2856. You would not have us jump too hastily to the conclusion that there really has been such a decrease in Scotland as at first sight the figures would show?—That is exactly the impression which I should like my evidence to produce upon the minds of the Committee; that this legislation has been a very great cause, but by no means the sole cause of the change.

2857. Have you at all compared the consumption of spirits in Ireland during the same period?—No, I have not.

2858. Should you be very much surprised if you were told that the decrease in Ireland has been comparatively greater than the decrease in Scotland, whilst at the same time there has been

no increase of restriction?—I have seen the figures about Ireland, although I have never analysed them, and I believe that the decrease in Ireland has been caused mainly by the effect of enhancing the duty from a low figure to 10s.; besides that, the facilities for smuggling there are greater, and disobedience to the law is a thing that does not so generally excite disapprobation. There is a sort of general feeling of chuckling over cheating the Excise, or cheating the Queen, as it is called; and I believe that the temptation to smuggling becomes irresistible when the duty is high; I have derived that impression from the number of Excise prosecutions which have been instituted; and, although the quantity of spirits which paid duty has been so much diminished, I do not believe the quantity drunk has been much diminished.

2859. Would not an Irish witness very possibly say that he did not believe that in Scotland there had been a decrease?—I think that he could not say so, because there is no country in the world, perhaps, where the law is better enforced than it is in Scotland; and there is a sort of stamp of moral reprobation against smuggling; a man loses caste by being supposed to set the law at defiance, and I think that feeling does not so generally exist in Ireland.

2860. But, as I understand you, with respect to restriction, you are not sufficiently acquainted with England to be aware that there may be a great difference as to the popularity of such a measure as is now before us?—No, I would rather not give an opinion upon that. I speak only of Scotland.

2861. Mr. *Yorke*.] You have expressed yourself in favour of restriction generally; will you say how far you would carry it?—I approve of that Bill which was laid before Parliament, and if it had come to a division, I think that I should have voted for it.

2862. We have had a great deal of evidence to show that the drinking on Saturday night is greater even than that which takes place on Sunday; would you prefer, if you had the choice, to legislate for Saturday instead of Sunday?—No; I am very doubtful about closing on Saturday night at an earlier hour than other nights.

2863. Supposing you were satisfied that the drinking was greater on Saturday night than on Sunday, would that in your judgment be a sufficient reason for choosing that day for restriction in preference to Sunday?—No, it would not. I think that Sunday has many advantages apart from the religious question, upon which of course the Committee would not desire to enter; but I think there are also very many other advantages in favour of having Sunday as a day of rest.

2864. Your choice of Sunday would be based upon other considerations besides those of the comparative amount of drinking which takes place?—Yes, it would.

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The Rev. VERNER MOORE WHITE, LL.D., called in; and Examined.

2865. *Chairman*.] ARE you a Clergyman residing in Liverpool?—I am a Presbyterian Minister residing in Liverpool.

2866. Mr. *Horsfall*.] Have you been long a resident in Liverpool?—About 24 years.

2867. Have you had any special means of information as to the extent of drunkenness in Liverpool as compared with other towns?—Yes; I have had the means of information arising from the

a numerous congregation in the centre of the town, and having been very much mixed up with several movements largely in connection with the working classes and others.

2868. Will you state what your experience is of the drunkenness of Liverpool now as compared with former years?—I have had an opportunity of entering very fully into that subject, and I am afraid that my testimony will not be in favour of our present position in Liverpool.

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2869. Have you any statistical returns upon the subject?—Yes.

2870. Do you think that drunkenness in Liverpool on the Sunday has increased as compared with former years?—I think that drunkenness has undoubtedly increased; and, so far as I am able to measure the drunkenness on Sundays, in connection with other days, I would conclude that it had increased as well.

2871. But has it increased to a greater extent than on other days?—My information refers to the state of drunkenness generally in the town of Liverpool.

2872. But are you not prepared to give the Committee any definite information as to whether it has or has not increased on Sunday in proportion to the other days of the week?—I speak from the police returns, and the police returns do not give Sundays as distinct from week days.

2873. Have you noticed any increase or decrease in drunkenness when the two systems of licensing were in force, what is called the free-trade licensing and the restrictive licensing?—Yes; I have observed, from the most careful examination of the subject, that under the restrictive system the drunkenness was not so great as under the so-called free licensing system.

2874. Are you aware whether the drunkenness of the town of Liverpool has had a very great effect upon the pauperism of the town?—Yes, I believe so. I have made an examination into that subject, and I find that we are the most drunken town in England according to the returns, and the town in which, in proportion to the population, the greatest number of paupers had been relieved upon the 1st of January 1867.

2875. But does not that increase in the number of paupers arise from the very large Irish population who are constantly flowing into the town?—It may, to some extent.

2876. And of course the drunkenness has materially increased the extent of crime, has it not?—Yes; I think so.

2877. Have you any means of knowing the views of the licensed victuallers in Liverpool as to the closing of the public-houses on the Sunday?—Yes; we made a canvass of the licensed victuallers in 1860, by 70 gentlemen, partly ministers of religion and partly laymen: every public-house in the town of Liverpool which we could reach was canvassed, those gentlemen going two and two, and they had two papers, one in favour of an Act of Parliament compelling the licensed victuallers to close their places on Sundays, and the other against; and if the Committee will allow me, I will state the result; the following is the principal paper: "We, the undersigned licensed victuallers of Liverpool, are in favour of the passing of an Act of Parliament compelling all persons keeping licensed houses for the sale of malt or spirituous liquors or wine, to close their places of business on Sundays." About 1,400 are accounted for in the returns; of these the following are the principal figures: "Signed the above document, 757; glad of the Act, but would not sign it, 113"; many of those persons already closing on the Lord's-day, making a total in favour of an Act for closing on the Lord's-day, 870; "refused, and understood to be opposed, 252; houses kept by servants and parties neutral, or not in a position to sign it, 97; not seen, though repeatedly called on, 90; for keeping open an hour or two in the day, 6." Showing a total of rather better than 1,300 out of the 1,400 public-houses then in Liverpool.

2878. Then, according to that return, the majority of the publicans were in favour of entertaining closing?—A large majority; and I believe there are so in Liverpool.

2879. A number of those, I think you say, have voluntarily closed their public-houses?—Yes, they have.

2880. Are you in a position to tell the Committee, from any information that you have obtained, as to the views of the public generally and especially of the working classes?—Yes; I was one of the honorary secretaries to the canvass of the householders of Liverpool, made in the year 1863; that was the first movement of the kind, I believe, that has been made in the country. We went about it as fully and carefully as we could, conducting the canvass by paid, and not by voluntary agents, and I hold in my hand a paper containing a statement as to the result. "There were 16 districts with one man to each, each man being furnished with a section of the map of Liverpool, with stringent and repeated instructions; first, to omit no house, whether rich or poor; second, to make no attempt at coercing any to sign any of the papers in particular, or, if unwilling, to sign at all."

2881. Mr. Roebuck.] How could you coerce any one?—I think there might be influence brought to bear.

2882. Will you explain how a man going round to a house can coerce a man to sign the paper?—I think the person might go to the employer of a man, and use such influence with the employer, that this man might be induced to sign the paper which he was not willing to sign; least that was the object we had in view.

2883. Mr. Horsfall.] Will you proceed with the instructions which you were reading?—"Third, to misrepresent none, but honestly to report the returns made, whatever they were; and, lastly, to receive no signature, unless made by the principal, or by one acting by his or her authority." I received those papers. I met the men twice each week; I heard their statements as to the reception which they met with in the houses of the rich, and in the courts, and lanes, and cottages of the poor. I not only had the opportunity of examining the papers, all of which to the amount of 53,000, and upwards (this does not include the neutrals, amounting to 6,335) are still in my custody; and I can state most confidently to this Committee, that we were careful in the selection of the men; I believe that, to the best of their ability, those men honestly discharged their duties, and I honestly state to this Committee the results which they put into our hands.

2884. Chairman.] I think you stated that between 800 and 900 publicans expressed a desire for the passing of an Act to restrict the sale of liquors on Sunday?—757 signed the paper, and 113 declared that they would be glad of an Act but would not sign any paper.

2885. If I correctly understood the Honourable Member for Liverpool, he asked you whether there was not a majority of the publicans of Liverpool as you said, Yes?—Yes, a large majority.

2886. We have it in evidence from Major Greig, that there are 1,945 public-houses in Liverpool, besides 819 beer-houses; so that it would not appear to be a majority?—That is in 1860, our canvass was in 1860.

2887. Mr. Yorke.] Have the public-houses doubled since 1860?—I think that the public houses have increased about 340; the actual number

number in 1860 was 1498. The beer-sellers were not canvassed.

2888. Mr. *Horsfall*.] I think you took the whole of the householders under their different signations, publicans, labourers, and artisans, and so forth; did you not?—Yes.

2889. Will you state to the Committee what the summary was?—There were 72,350 houses in the borough, and of those, 5,350 were uninhabited, leaving 67,000 inhabited houses to be accounted for. We had the forms actually returned in favour of total closing, from 44,149; against Sunday closing 3,330; for closing except for two hours, during which no drink was to be consumed at the premises, 6,417. Neutral persons who could not sign any paper, but declared to the canvassers that they were neutral, and did not care how the thing was, 6,339; making a total of returns, 60,235; and by double occupations, houses shut up, and no return; hostile cases, where they refused to receive forms, amounting to 10, and lost by negligence of masters, or servants, masters absent, and no instructions given, the difference is made up, amounting to 67,000.

2890. You dissected the householders, and put them under their different classes, did you not?—Yes.

2891. Will you be so good as to state the summary of that to the Committee?—We classified the returns into the following: artisans, labourers, shopkeepers, clerks, mariners, persons out of business, merchants, professionals, publicans, beer-sellers, and Scripture readers. The total number of artisans was 18,555, of which there were signed for No. 1, that is for total closing, 14,828, for closing except for two hours, 2,370, and against any change in the law, 1,357; of labourers there were a total of 17,428, of which 15,092 were in favour of total closing, 1,602 for closing except for two hours, and 734 against any change in the law; of shopkeepers there were a total of 6,181, of which 5,145 were in favour of total closing, 738 of closing except for two hours, and 298 against any change in the law; of clerks, agents, &c., there were 4,268, there were for total closing, 3,479, for closing except for two hours, 543, and against any change in the law, 246; of mariners there were 2,504, of which there were for total closing, 2,093, for closing except for two hours, 307, and against any change in the law, 104; of gentlemen out of business or of no business, the total number was, 9,953, there were in favour of total closing, 4,481, for closing except for two hours, 353, and against any change in the law, 119; the total number of merchants was 924, for entire closing there were, 705, for closing except for two hours, 70, and against any change in the law, 49; of professionals the total was 922, of whom there were for total closing, 683, for closing except for two hours, 177, and against any change in the law, 62; of publicans, who signed this paper, there was a total of 724, of whom there were for entire closing on the Lord's Day, 432, for closing except for two hours, 93, and against any change in the law, 199; of beer-sellers the total was, 15, there were for entire closing, 119, for closing except for two hours, 64, and against any change in the law, 132; the total number of Scripture readers was 92, of whom all were for entire closing; showing according to the percentage, of artisans 80 per cent. who signed for entire closing, 13 per cent. for closing except for two hours, and 7 per cent. for continuing the law as it is; of the labourers there

were 87 per cent. for entire closing, 9 per cent. for closing except for two hours, and 4 per cent. for continuing the law as it is; of shopkeepers there were 83 per cent. for entire closing, 12 per cent. for closing except for two hours, and five per cent. for continuing the law as it is; of clerks there were 81 per cent. for entire closing, 13 per cent. for closing except for two hours, and 6 per cent. for continuing the law as it is; of mariners there were 84 per cent. for entire closing, 12 per cent. for closing except for two hours, and 4 per cent. for continuing the law as it is. Of the persons belonging to the higher classes, gentlemen out of business, merchants, and professionals, I find that the percentage for the total closing is very much lower than that of the working class; it is 76 per cent. of gentlemen out of business, for total closing, opposite 80 per cent. of artisans and 87 per cent. of labourers, 18 per cent. were for closing except for two hours, and 6 per cent. for continuing the law as it is; of merchants there were 76 per cent. for total closing, 19 per cent. for closing except for two hours, and 5 per cent. for continuing the law as it is; of professionals 74 per cent. were for total closing, 19 per cent. for closing except for two hours, and 7 per cent. for continuing the law as it is; of the publicans there were 60 per cent. for total closing, 13 per cent. for closing except for two hours, and 27 per cent. for continuing the law as it is; of beer-sellers there were 38 per cent. for total closing, 20 per cent. for closing except for two hours, and 42 per cent. for continuing the law as it is. I find that the highest percentages in favour of total closing are amongst labourers, mariners, and shopkeepers; and those that stand the lowest, next to the publicans and beer-sellers, are professionals, gentlemen, persons of no business, and merchants. I find that the lowest percentage in favour of opening for two hours is amongst the class of labourers; the shopkeepers come next, the mariners, artisans, and clerks being about the same percentage; whilst the percentages of publicans and beer-sellers, merchants, gentlemen out of business, and professional men stand the highest.

2892. You can assure the Committee, can you not, that the return was honestly and faithfully made?—I can.

2893. Have you any other means of knowing the views of the publicans, with regard to the closing of public-houses on the Sunday?—Yes, in connection with a recent large petition sent from Liverpool, signed by 82,000 persons, in favour of the Licensing Bill.

2894. Did that express any opinion about the Sunday?—Yes.

2895. I think you said that it was in favour of the Licensing Bill of last year, did you not?—Yes, but our petition made special reference to the Sunday question.

2896. Then your petition went beyond the proposed Licensing Bill?—The prayer of the petition was, "Your petitioners therefore pray your Honourable House that the said Bill may forthwith be passed into law, and especially that no change be made, so as to abridge the power of veto to be conferred on the inhabitants with respect to the granting of new licenses, or to extend the hours of sale on Sundays or week days, or to curtail the powers proposed to be given to corporations or local boards, with reference to the hours of sale on Sundays." The Bill gave power to corporations or local boards still farther to reduce the hours of sale on Sundays,

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or, if they saw fit, to close altogether on Sunday.

2897. Petitions have been very much discredited lately; have you any reason to believe that that petition was honestly signed?—I think it was. We took the utmost pains that it should be so. We gave printed instructions to our canvassers, who went about in connection with the getting up of this petition, that all persons should be requested to sign their own names; that no improper influence should be used to obtain signatures; that the signatures should be taken only from adults, or such as were competent to form a judgment; that the same persons should not sign twice, and that all adults, male and female, were at liberty to sign; and those instructions we endeavoured to carry out to the utmost of our power.

2898. Was there not a memorial to the town council or the magistrates?—Yes; on the subject of licensing public-houses.

2899. Had that reference to Sunday?—No; it had reference to the free licensing question.

2900. Have you been connected with any social efforts in Liverpool, which enable you to see the evil effects of drunkenness, especially connected with the Sunday?—Yes; I have been connected with the midnight movement, a movement for reclaiming unfortunate females; for six years I have been honorary secretary of an institution of that kind in the town.

2901. And that has given you an insight into the evil consequences of drunkenness, particularly with reference to the Sunday?—From personal conversation with those unfortunate females, I felt that in almost every instance drink was connected with their fall. I asked the matron of an institution for fallen women if she would kindly obtain from themselves how far their fall was connected with drink, and I hold in my hand her return referring to 27 cases taken, as she said, promiscuously, out of an institution which I have to do with, where there are 76 or 77 of those women. I think I am correct in saying that in almost every instance their fall is attributable to drink, or is connected with drink.

2902. Have you the means of ascertaining whether that drunkenness which gave rise to the fall of those women had any special reference to the Sunday?—No, I have not.

2903. Have you endeavoured to ascertain, by personally visiting scenes of drunkenness and vice, to confirm the views which you have just stated?—I have tried to do so. I have visited pretty nearly every department of the field of vice and crime in the town; not only prisons, but brothels, public-houses, theatres, dancing saloons, and such places, at midnight, and particularly on Saturday nights; and I am sorry to say that what I have learned otherwise appears to me to have been very strongly confirmed by what I have seen as to the terrible effects of drunkenness.

2904. You do not think that any drunkenness, especially with reference to Sunday, arises from any remissness on the part of the police, do you?—No; I have a high opinion of our police.

2905. Do you know what instructions they have with reference to the Sunday?—With reference to arresting drunkards, I know their instructions are these: "Although a constable is always to act with firmness, he is never to interfere needlessly. If a drunken person is disorderly, he is to persuade him to go home; if, however, he is riotous, and will not go, he is to call for sufficient assistance, and convey him as quietly as possible to a station."

2906. Do you know whether those instructions are more stringent in Liverpool than in other towns?—As far as I am able to learn, through communication with some one or two gentlemen, police officers of other towns, I have reason to believe that they are not more stringent.

2907. Have you paid any attention to the coroner's report as to the effects of drunkenness on Sunday?—Yes. I have a report which I received from the coroner's clerk, for three years, namely, for 1864, 1865, and 1866; and I find that of the cases in the returns of "accidental deaths," there are 143 cases of children having been suffocated, as the coroner's clerk tells us in the report of 1864, "chiefly between the Saturdays and Mondays of each week." In the report of 1865, he introduces the same class; there are 145 cases of children having been suffocated, and that "principally between the Saturday and Monday of each week." In 1866 the number is 135 cases of children suffocated, and that "principally between Saturday and Monday of each week."

2908. Are you prepared to state to the Committee any remarks which have been made by the judges of assize at Liverpool, with reference to Sunday drinking?—They have made very strong remarks with reference to drinking, ascribing the crime with which they have to deal, especially in Liverpool, to drunkenness; but with no special reference to the Sunday.

2909. Is it your opinion that the publicans as a body, in Liverpool, conduct their business respectably?—Yes, I think they do; as respectably as a business of that kind can be conducted.

2910. Have you read the Bill which is now before the Committee?—Yes.

2911. Do you approve of the principle of the Bill, as far as regards entirely closing on Sunday for consumption on the premises?—I approve of the Bill as an instalment, but I should certainly prefer entire closing.

2912. Mr. Knatchbull-Hugessen.] Then your canvass was with a view to total closing, was it not?—The canvass was instituted for the purpose of ascertaining simply the opinion of the householders upon the subject.

2913. But the object of those who instituted the canvass was to obtain total closing, was it not?—The object is stated in this clause of the forms, if you will allow me to read it: "That as this is not a movement in favour of any sect or party, whether political or religious, but for the comfort and happiness of all classes of society, it is particularly and respectfully desired that all persons will try to make the result as complete as possible, in order to have a full and fair expression of public opinion on the subject of Sunday closing." To show the strict impartiality with which the canvass was conducted I respectfully beg that the Committee will allow me to hand in the following paper. It is a complete copy of the canvass form used. A form was left at each house and called for by the canvasser two or three days afterwards:

Every Householder, Male or Female, is respectfully requested to sign.
Form No. 1.

To be signed by those in favour of Sunday Closing.

I am in favour of an Act of Parliament requiring all persons engaged in the Sale of Intoxicating Drinks, to Close their places of business on the whole of Sunday.

I further express my desire that in any law to be passed for Liverpool to regulate the Licensing of Public Houses and

and Beer Shops, a clause for Closing all such Shops on Sundays be inserted.

Signed. _____ Name.
 _____ Business.
 _____ Residence.

FORM No. 2.

To be signed by those *opposed* to Sunday Closing.

I am opposed to an Act of Parliament compelling persons engaged in the Sale of Intoxicating Drinks to Close their places of business on Sundays.

Signed. _____ Name.
 _____ Business.
 _____ Residence.

FORM No. 3.

I am in favour of an Act of Parliament Closing all Shops for the Sale of Intoxicating Drinks on Sundays, except for Two Hours, it being clearly defined that in these hours drink is not to be consumed on the premises.

Signed. _____ Name.
 _____ Business.
 _____ Residence.

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In order to have a full and fair expression of public opinion on the subject of Sunday Closing, it is earnestly requested—

First—That each person receiving a paper will Sign it, and have it ready when called for.

Second—That as this is not a movement in favour of any sect or party, whether political or religious, but for the comfort and happiness of all classes of Society, it is particularly and respectfully desired that all persons will try to make the result as complete as possible.

(Signed) *John Cropper*, Chairman.
W. M. Falloon, } Secretaries.
V. M. White, }

2914. I gather from your figures, that whereas a very large per-centage of the Liverpool people are in favour of total closing, and some considerable per-centage are in favour of keeping the law as it is, the proportion is very small who wish to have the public-houses open for a few hours only on the Sunday, and to have the law relaxed only in the direction of this Bill?—I do not think it is large; I think that the proportion in favour of total closing is enormously in excess.

2915. Therefore the public opinion of Liverpool would in no degree be satisfied with this Bill?—They would be very much pleased with it, I think.

2916. Still they would prefer total closing?—Yes.

2917. They would only take this as an instalment?—I cannot say what further steps they might be prepared to take, but they certainly desire total closing.

2918. You have said, have you not, that you would accept this Bill as an instalment, but as by no means a settlement of the question?—I cannot say how far it might effect a settlement of the question.

2919. With regard to the suffocation of children between Saturday and Monday, that would include all the children who are suffocated on Saturday night, would it not?—I believe it would.

2920. Would it not probably be the case that a very large per-centage of those children would be suffocated, as the result of that drinking on Saturday night, which we know to be very considerable?—No doubt some would.

2921. In point of fact do you differ from the general opinion, that it is on the night on which
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the wages are paid that the drinking takes place?—The drinking, in my mind, takes place upon the Sunday in connection with two matters; first, that they have the money; and secondly, that they have time and the day at their disposal. If the places were closed upon the day which they have at their disposal, then it would not be possible for them to abuse the money; and I think by the Monday they would be at their work, probably, for the next week.

2922. If the wages were paid upon some other night of the week, say, on Wednesday night, do you not think that the temptation would be less to spend their money in drinking on the Lord's-day?—I think that would be an improvement, and I have advocated it.

2923. With respect to this Bill; looking at the particular hours during which public-houses are proposed to be kept open (that is to say, from one till half-past two, and from eight till 10) is it your opinion that those are the hours most convenient to the Liverpool public that they should be kept open?—If they are to be left open during any hours I suppose they are the most convenient.

2924. Do you think that altering the time of closing to 10 instead of 11 would be a very great improvement?—Yes; I think it is desirable.

2925. Mr. *John Abel Smith*.] Do you know anything of the wishes and feelings of the working men at Liverpool upon the subject of restriction?—I should not, like to speak to the wishes and feelings of the working men at other places than Liverpool; I have not had the same opportunity of testing their opinions.

2926. I need hardly ask you, if the wishes of the working men in Liverpool are such as you state, whether you would apprehend any disorder, or confusion, or difficulty, in carrying out a change in the law?—I should apprehend no difficulty whatever beyond the inconvenience which, to a certain extent, will arise from any change of habit or custom, but nothing that would be serious.

2927. I meant anything in the nature of public disturbance?—No, certainly not.

2928. You have a very large number of Irish at Liverpool, have you not?—Yes.

2929. Are any of those included in that canvass?—There are not, in proportion, many of them, probably, who are householders: but one section of the canvass was directed to a district of the town, occupied almost entirely by Irish, and those Irish of the very humblest class. This I did not read, but if you wish I can give you the results of that table. We call it the Marybone district. There is a total of returns amounting to 2,801; of those the number of labourers is 1,977, and of those 1,687 were in favour of total closing; in favour of closing, except for two hours, 131; and against any change in the law 159. There is a total of artisans of 463, as against 1,977 labourers, which will show you the character of the district; it is one in which the police go in pairs; and of those artisans 352 were in favour of total closing, 56 of closing, except for two hours, and 55 against any change in the law; the total number of shopkeepers was 235, of which 182 were for total closing, 33 for closing, except for two hours, and 20 against any change in the law; these three classes account for 2,675 out of the 2,801 in the district, the shopkeepers being generally persons of a very humble class indeed, and they might almost all be reckoned amongst the labouring population.

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2930. And

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2930. And even amongst this Irish population a very large proportion were in favour of further restriction?—Yes; not only a very large proportion, but the canvasser of that district made returns as to the willingness of the people to receive him, the readiness with which they signed the papers, and the extent to which those papers were signed, more favourable than in almost any other district of the town.

2931. Did the Roman Catholic priests take any part in helping in that canvass?—They were favourable, I believe, but they took no active part in helping it.

2932. As I understand your opinion, they are strictly in favour of the total closing of public-houses on Sunday?—Yes.

2933. Should you suggest such a law for London?—I am not sufficiently acquainted with the circumstances of London to answer such a question.

2934. You do not know whether it would be possible or not to do so?—No.

2935. But with regard to the large towns in Lancashire, do you think it would be acceptable to them?—I think with regard to the large towns in Lancashire and throughout England, so far as I have had an opportunity of knowing, it would be very acceptable.

2936. Do you think that there is as strong a feeling in favour of closing in Liverpool as elsewhere?—Yes. I was not aware that there was that feeling before our canvass. The impression was that the public were strongly against it until we made the canvass, which showed that the opposite was the result.

2937. You do not think that the provisions of the Bill which is referred to this Committee are so restrictive as to excite opposition or resistance?—I think not; not out of London, I think; as to London I cannot speak.

2938. But you wish to see it successful?—I should like to see the Bill successful so far.

2939. As an instalment?—As a step in the right direction.

2940. Have you had any public meetings at Liverpool in favour of closing?—Yes, in favour of entire closing.

2941. What sort of meetings were they?—Enormous meetings, crowding our largest buildings; crowding St. George's Hall, and attended perhaps by 5,000 persons.

2942. Who was in the chair?—Mr. Horsfall.

2943. Was there a general expression of opinion in favour of total closing?—Yes. In fact, on the day on which we held our first meeting in St. George's Hall, our largest building in Liverpool, we were obliged to take a neighbouring hall in order to accommodate the people who could not be crammed into St. George's Hall.

2944. How long ago was this?—This was in 1863.

2945. And you have no reason to believe that there has been any change of opinion since?—No, I do not think there has.

2946. Does your knowledge extend to Birkenhead?—Not very much personally.

2947. Do you believe that the same feeling exists in Birkenhead as in Liverpool?—Yes.

2948. Mr. Horsfall.] Was there not a canvass, upon the same principle, in Birkenhead?—Yes; and the opinion was quite as strong in Birkenhead as in Liverpool.

2949. Mr. Baines.] You have spoken of cases of prostitution being traceable to drinking. I would ask you whether the cases of fallen women

exist chiefly amongst those classes who have the leisure and the opportunity of going out on the Sunday chiefly; that is to say, among female servants and others whose chief day of leisure is Sunday?—That I cannot undertake to answer I should be inclined to think that it is so, but I cannot answer it positively.

2950. As you suppose that that is the day on which those young women who have fallen have chiefly an opportunity of being out and drinking, do you suppose that we must therefore ascribe, as a necessary consequence, a considerable number of the cases such as you speak of to the habit of drinking on Sunday?—I believe that the connection of those parties and their fall with drink arises from the circumstance of their being led to take drink in order to stupefy them, and that they are thereby induced to do that which otherwise they would not do. How far it is connected with Sunday I am not prepared to say.

2951. Chairman.] You have told the Committee that you are sorry to say that you believe Liverpool to be one of the most drunken towns in the kingdom?—I believe Liverpool to be the most drunken town in England, but not in Scotland. I believe Glasgow is worse.

2952. Glasgow and Liverpool have a great many features in common, have they not; for instance, in the nature of the population, the proportion of Irish, the number of dock labourers, and many features of that sort?—Yes; they have some features in common in the population, but with regard to the facilities for drinking, I should think they have not so many features in common; for example, they have no beer-houses in Glasgow.

2953. But I said with regard to the character of the population, they have much in common?—Yes, to some extent; we have a large Irish population, and so have they.

2954. But although it is your opinion that it is the most drunken town in England, still you have found a vast majority of the inhabitants, so far as the canvass has gone, in favour of having the sale of liquor much restricted, or altogether stopped on Sunday?—I have had large opportunities of meeting with working men, and I have invariably, as far as I could, brought up this matter, and I have found not only the sober and temperate, and religious portion of the population, but as far as I am able honestly to form an opinion, I believe that the section of the population addicted to drunkenness, would be the section that probably would be most grateful for the temptation being taken out of their way.

2955. As a great many of those who profess themselves to be in favour of restrictions might be those who are themselves the offenders, do you think that it is in the hope that they will be saved from themselves that they are asking for further restrictions?—Yes; I think that they would be glad to have temptation put out of their way, and be saved from themselves.

2956. Is it the case, as I think the Committee have been told by other witnesses, that there are very few excursions made from Liverpool to the country on the scale upon which they are made from London?—I rather think not. I think that excursions are made rather to Liverpool than from it.

2957. The practice is not extensive of persons leaving Liverpool for the day, during Sunday, in large numbers?—I am not aware that it is, except going across the river.

2958. Do

2958. Do a great number of persons go across the river?—A very large number.

2959. Do they get into the country by that means, or do they merely go to Birkenhead?—Birkenhead is the country; they go to the other side of the river, to Birkenhead and Rock Ferry, and New Brighton, and such places.

2960. It is for the sake of getting into the country then, is it not?—Probably it is.

2961. But do you think that that is a practice resorted to to any large extent?—I do not know that it is a common practice; I should think that it is less a practice with us possibly than it is in some other districts.

2962. Do you think that it would be fair to connect the two things which have been so spoken to, namely, that the people do not get away into the country on Sunday, but that they do resort to drinking to a very great extent?—I do not know that.

2963. We have had the two opposite acts directly connected by witnesses speaking of London, that in proportion as excursions have increased, the amount of drunkenness coming under the cognizance of the police has diminished. I think that was the evidence of the Commissioner of Police in London, and others; do you think that it would be fair to connect the two opposite facts in Liverpool?—I cannot say; I have associated in my own mind the drunkenness of the town on Sundays, with the fact that we have such an enormous number of temptations to people there to get drunk.

2964. But there are very few means of persons amusing themselves, as so very many will do on Sunday, except by resorting to those injurious means of amusement?—We have very large opportunities of amusement about Liverpool, if it be a fit thing for Sunday; we have the river, and we have the new parks that are being made on a very extensive scale; I think we have opportunities of amusing the people without excursions around Liverpool, perhaps as great as in many other places.

2965. Have you parks readily accessible in various part of the town?—Some of those parks are not yet opened, but we have three very large parks which are in the course of preparation for the people.

2966. But hitherto the people have not yet had ready access to the parks in Liverpool?—No, not so far as the parks are concerned; there is the Prince's Park, but the river is our great attraction; everyone goes down to the landing stage and crosses the river; if I had known that you intended to ask me such questions I could have procured the actual number who crossed

the river on Good Friday last, because it was brought before me recently, and it was a very large number indeed.

2967. Can you say that drinking prevails greatly amongst excursionists, and those who cross the river, for example?—In visiting the public-houses on Saturday nights, I was very much struck with the circumstance that I saw an immense number of young married women with marriage rings on their fingers, and their husbands and their children there, which led me to believe that excursions and such like things were not matters that were mainly connected with our drunkenness.

2968. But would you say, in fact, rather the reverse?—I cannot say that.

2969. Should you say, as you have paid so much attention to the subject, that the drunkenness which prevails to so great an extent in Liverpool, arises from the drinking of spirits?—The men drink ale, I think, largely, and the women drink gin or spirits.

2970. But you think that there is a great deal of spirit drinking?—Yes, a good deal with women, and drunkenness is on the increase with them, I fear very much.

2971. Mr. *Horsfall*.] Do you not consider that drunkenness is in some degree caused by our having a large what we call a floating population in Liverpool; a number of seamen and men of that character who will take a little more than they ought?—I have heard that remark, and thought it over, but I could never see its force for this reason, that I think the persons brought up for drunkenness do not justify the statement that they are of that class; it is to some extent, no doubt, connected with our seafaring population, who come in having a good deal of money, but I think scarcely to the extent that has been supposed.

2972. Mr. *Frederick Stanley*.] With reference to one answer which you gave just now, you stated that you considered the great cause of drinking on Sunday and also on Saturday night was from the combination of leisure and the money which was then in the hands of the working classes. Liverpool containing a large floating population of seamen, do you not consider that that cause of drunkenness, if it be one, exists in a greater proportion amongst the class of seamen than amongst any other class of the community, that is to say, that they have more money and more leisure at that one time than any other class in the community?—Yes, so far that may be so, but our seafaring population in the town of Liverpool alone, after all, I think, will not account for our enormous drunkenness.

ROBERTSON GLADSTONE, Esq., called in; and Examined.

2973. *Chairman*.] You have kindly offered, I believe, to give some evidence before this Committee?—I have.

2974. You are aware of the provisions of the Bill which has been referred to the Committee, are you not?—Yes, I understand that it is proposed to curtail the hours on Sunday to four during the day for public-houses being open, from half-past 12 till half-past two and from eight to 10.

2975. And that during those hours they shall not be open, except for the sale of liquor to be consumed off the premises?—Yes, that is what I understand.

2976. As a magistrate of Liverpool the
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operation of the present liquor law has come very much under your notice, I presume?—A great deal.
R. Gladstone,
Esq.

2977. Have you heard the evidence of the last witness?—I have heard a portion of it only.

2978. Would you state whether in your opinion there is a great amount of drunkenness in Liverpool on Sunday?—There is no doubt a great amount of drunkenness in Liverpool on Sunday, during the evening. I am not aware how it would compare with other places. The drinking is not so much during the day. You may walk through Liverpool, as I have done frequently, through all the leading streets, and you will not
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see a drunken person; but, in the evening, I believe, it is very different; indeed I know it to be so.

2979. Is it your opinion that if the hours of opening public-houses were considerably shortened, especially in the evening, it would reduce the amount of drunkenness?—I think it would, to a certain extent; I have always held the opinion, as far as I have had the means of forming one, that you cannot reduce drunkenness by legislation, to any amount; but as regards the Sabbath-day it is entirely different; I think that if it can be protected it should be so from any abuse; and there would be this advantage, that the families of about 1,500 publicans would feel themselves more at liberty on Sunday, and possibly some relief might be given to our police force, who are more or less directly or indirectly occupied with matters arising from squabbles and fighting, and so forth, connected with public-houses.

2980. It would, therefore, be more particularly because you think that the law at present does not protect the publican, that you would like to see the public-houses closed on Sunday?—I am not aware of any complaint that the publican has of the law not protecting him, but I think that drunkenness goes on on Sunday evening, which ought not to be tolerated.

2981. But do you think that drunkenness would be much reduced if the public-houses were closed, as proposed by this Bill?—To some extent; but I do not attach, as many do, very great importance to that principle, because I have always held the opinion, derived from practical experience, that it is not from the number of public-houses that drunkenness ensues; if every public-house, a mile of space intervening between it and any other public-house, there would be just the same amount of drinking; wherever the love of drink exists, distance becomes a minor object altogether; the appetite craves for it, and people will have it.

2982. If the houses were closed, except to travellers, or except to persons purchasing and taking away drink, are you of opinion that people who are craving for drink would avail themselves of the loophole?—A change of this description would, no doubt, throw difficulties in the way of their obtaining drink, and to that extent I think it might produce good; but when you consider that amongst the poorer of the working classes their wages are paid to them on Friday and Saturday, if they are determined to have drink they would purchase it on those days, and lay in liquor to last during the entirety of Sunday; therefore, in that point of view, although I am not prepared to believe that the community of Liverpool would accept a measure, so far as they are concerned, which would at once close the public-houses entirely, I do think that if they were closed ultimately entirely it would be a great advantage.

2983. In the meantime, do you think that the provisions of this Bill would be likely to do good, and would be accepted willingly by the population of Liverpool?—I do not think that the community of Liverpool would oppose this measure certainly as a body; there are exceptions; there are those who think that there ought to be no change, and some who I daresay would be of opinion that drink should flow down the streets, but they are a minority.

2984. On the whole you think it would be accepted?—I believe it would.

2985. Mr. Knatchbull-Hugessen.] With regard to giving relief to the police, would it not be the fact that if all the public-houses were closed in Liverpool, the duty of the police to watch and prevent illicit drinking in improper houses and private houses would be very much increased?—That is on a very small scale; I have seen a great deal of that sort of business when brought before the Bench, and I have observed that those who are occupied in that particular duty are few in number.

2986. But supposing that this restriction were carried into effect, would not the drinking in private houses be likely to be so much increased as very much to increase the duties of the police in its prevention?—Not to any serious extent; the number of officers who bring those cases before us is very small indeed. I suppose our police are now about 1,200. I think that on Wednesday, the court-day, once a week, when those cases are heard, there may be from 10 to 20 officers engaged in making those complaints.

2987. Were you in Liverpool at the time that this active canvass took place to ascertain the opinion of the community, which has been alluded to by the previous witness?—Yes, I was.

2988. May I ask whether you registered your opinion in favour of total closing?—No, I did not; I do not reside in the borough; I am four or five miles from it.

2989. Do you think that the Liverpool public would be satisfied with the restrictions proposed in this Bill?—I do; I believe that the bench of magistrates would be very nearly unanimous upon the point.

2990. But would the public?—I think the public would make no complaint, because on the Sunday the bulk of the working-classes and mechanics find their way out of town; many of them make excursions, the larger proportion of them on the river, going to various places on the Cheshire coast, Eastham and so on.

2991. Do you agree with the last witness that this measure would be accepted as an instalment, or do you think the public would be satisfied with it?—I think it would be accepted as an instalment, very probably with the ulterior view of seeing the public-houses closed altogether on Sunday.

2992. Then to a large number of persons who have got their capital invested in public-houses, it would be no use to accept this as a settlement of the question; they would still be exposed to ulterior agitation?—I believe that the proportion of business done in the bulk of the public-houses in Liverpool on Sunday as compared with week days is infinitesimal; it is very small indeed; I know that many publicans, if the false impression on their mind did not exist that their weekly business would be injured, would be delighted to close altogether on Sunday.

2993. May we not carry it further and say that the drunkenness which occurs on Sunday in Liverpool is infinitesimal as compared with the rest of the week?—Saturday night is the great night for drunkenness, not Sunday morning.

2994. Does not that result from the fact that wages are paid on Saturday night?—The practice of paying wages on Friday is very general now; the corporation and the docks, the two largest employers of labour almost in Liverpool, do so; the corporation, I know, pay on Friday.

2995. Do you think that if the wages of labourers were paid on Wednesday instead of Saturday,

Saturday, the drunkenness on Sunday would be as much prevented as by the restriction of this Bill?—No, I do not think that that would make any difference; the causes of drunkenness, as far as my experience has led me to know, are very numerous; drunkenness is not alone inherent, or born in the constitution of a person; an uncomfortable house, a bad husband or mother, foul air and gases in the immediate locality, a too densely located population in one particular quarter, badly drained houses, a pestilential atmosphere, sorrow in the family, death, and all those causes, more or less, though unjustifiable, no doubt produce drunkenness, and in time of course that which begins as a matter of very small moment, becomes as bad as possible.

2996. I think I may take it as your opinion that if a person has really contracted drinking habits, whether this Bill passed or whether it did not pass he would have his drink on Sunday somehow or other?—He would have it in some way or other; I have no doubt about that.

2997. If that is true, are there not a very large class of persons who might be materially inconvenienced by such a restriction, who have the strength of mind to resist temptation?—I think not; I think that four hours would be ample for every purpose.

2998. You would advocate a restriction of the hours and not the total closing?—For the present, certainly.

2999. Mr. *Yorke*.] In your opinion, is there anything exceptional in the state of Liverpool as regards the causes which produce drunkenness compared with any other large town?—No; Liverpool, as a large sea-port, having daily arrivals of seamen and others coming from abroad, must, and always will have, I believe, an unfortunate pre-eminence in that way; because, until the sailors and those connected with shipping are better educated, the practice will be general, and the first thing a man who has been absent on a long voyage does on arriving at Liverpool is to get tipsy; he exchanges a glass of something with a friend, then one glass leads to another, and then trouble ensues.

3000. If excursion trains or things of that kind, enabling people to get amusement away from the public-houses were encouraged on the Sunday, do you believe that that would lead to a decrease in the amount of drunkenness?—I think that the Sunday is better kept than it was; the corporation are very largely engaged in the formation of parks; something like 1,000 acres of ground are now being converted into parks in different parts of the town; one park, a small one of about 20 acres is completed and thrown open to the public, and the number who crowd that park on a Sunday and who formerly never got out of their little back streets or their own houses, is astounding.

3001. Mr. *John Abel Smith*.] I understand you to express yourself generally in favour of the provisions of the Bill that is referred to the Committee?—Yes.

3002. And you do that, although your general opinions have been understood to be very much in favour of the absence of restriction?—I have

been in favour always of free trade, and I have found that the free-trade principle, as far as I can form a judgment, has answered admirably.

3003. Do you know anything of the state of feeling of the working classes in reference to restrictions in other parts of Lancashire?—No, I do not; but I know Liverpool perhaps as well as any one can know it.

3004. Without going into detailed figures, generally speaking you believe that such a law as this would be quietly received in Liverpool?—I do.

3005. As a magistrate, you would have no fear of public disturbance resulting from it?—Not in the least degree.

3006. And you will probably endorse the opinion which has been expressed by so many, that drunkenness and crime have the closest possible connection?—Very close indeed, unfortunately.

3007. Mr. *Baines*.] Are you personally acquainted with Dr. White, and with any of the gentlemen who took part with him in the canvass?—I know Dr. White perfectly well as a gentleman who has held a high position in the community at Liverpool, and has taken a very warm interest in this matter. He differs very much from me in some points, but he has written with great warmth and force in the public journals, with the best intention.

3008. From your knowledge of his character, and of the characters of those who are associated with him, should you attach confidence to the returns which he has presented?—Yes, I think so; I think that neither Dr. White nor any gentleman connected with him would be any party to anything like misrepresentation.

3009. Mr. *Locke*.] You stated, did you not, that most of the working classes made their way out of town on Sunday?—A great many do now.

3010. And that drinking on the Sunday is infinitesimal in comparison with any other day?—Yes; that is, taking Sunday as a whole.

3011. Such being the case, that very few persons at the present time are anxious to avail themselves of the use of public-houses on the Sunday in Liverpool, of course it would not much affect them?—No.

3012. And therefore Liverpool being in that condition, that drinking on Sundays is infinitesimal, and that persons get their drink somewhere else out of town, it is perfectly immaterial whether this Bill in any sense is carried or not so far as Liverpool is concerned?—No; I would support this Bill if it was only to give, what it would do I think, namely, some relief to the families of the publicans who have always made it a matter of complaint. They are a very respectable body of men, the great bulk of them. They may form wrong ideas like other people, and I may be wrong, but I think it would give great relief to their establishments.

3013. Then you would pass this Bill for the sake of the publicans, and not for the sake of the public at large?—Yes, I think they are more interested in it themselves than even the public at large.

R. Gladstone,
Esq.

6 May 1868.

Monday, 11th May 1868.

MEMBERS PRESENT:

Mr. Baines.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Locke.

Mr. Knatchbull-Hugessen.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

DARNTON LUPTON, Esq., called in; and Examined.

D. Lupton,
Esq.

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3014. Mr. *Baines.*] I BELIEVE you carry on business as a Cloth Merchant in Leeds, and have resided there all your life?—That is so.

3015. You have also been for many years President of the Leeds Chamber of Commerce, and that has made you acquainted, has it not, with the various branches of industry in Leeds and its neighbourhood?—Yes.

3016. I believe I am correct in saying that you have been 30 years a borough magistrate, and several years a magistrate of the West Riding of Yorkshire, and have taken a very active part in both those capacities?—Yes, I have.

3017. You have also filled the office of mayor, have you not?—Yes.

3018. Have you taken an active part in the general administration of the law in petty sessions, and have you had your attention for some years past especially directed to the question of Sunday drinking in public-houses and beer-houses?—Yes; in Leeds it is the practice for the magistrates to visit the houses of all persons who are applying for spirit licenses. The large mass of the applicants are beer-house keepers, and having year by year, for 30 years, visited these houses, I have become acquainted with a large number of that class of the community.

3019. I am not wrong, I believe, in saying that when you were mayor of Leeds you also went somewhat out of the common way in order to visit the public-houses, especially at night?—That was before the passing of the Act which closed the public-houses until half-past 12 on the Sunday. On several occasions I went during the night at two and three o'clock in the morning before the passing of that Act, in order to see the condition of the licensed victualling houses, and I found, as we may naturally suppose, that many of them were in a very sad state; there were large numbers of people at that untimely hour drinking in licensed victualling houses.

3020. Mr. *John Abel Smith.*] That was not against the law, was it?—There was nothing in the law then against it, but since then the law closing public-houses up to half-past 12 on Sunday has been passed.

3021. Mr. *Baines.*] Do you think that the passing of that law and of that restriction was a benefit to society?—It was most beneficent; and not only to the public generally, but also to the people who frequent those houses, but more especially to the licensed victuallers and beer-house keepers themselves; in fact, they all admit, and I

have never heard a difference of opinion, that that Act has been a great boon to all persons of that class.

3022. Can you tell us how many drinking-houses there are in the borough of Leeds?—We have in the borough of Leeds 377 licensed victualling houses where spirits are sold; we have 750 beer-houses licensed by the Excise, and, in addition to that, we have 160 refreshment houses; but they, perhaps, scarcely come within the sphere of the inquiry of the Committee.

3023. Can you describe what a refreshment house is?—A coffee-house.

3024. What is the population of the borough of Leeds, for which you now speak?—It was in the last census about 200,000 to 210,000, and it is at the present time probably from 220,000 to 230,000.

3025. I believe you take a lively interest in the welfare of the working classes generally, and that you were one of the founders, and have been many years the president and sole manager, of the Leeds Working Men's Institute?—That is so.

3026. Is that a large and important institution?—Very. It contains many hundred members. Of course the number depends upon the attractiveness of the week's entertainment; but we have always had from 500 to 600 members, and very frequently it runs up to 1,500, when it has been a very attractive week. The members pay a penny admission for the week, which entitles them to all the privileges of the institution.

3027. At present it is composed, is it not, entirely of working men?—Purely so.

3028. Have you also, as a supplement to that, an institution for boys?—Yes, we had some time ago.

3029. What are the arrangements which you provide for Sunday in this Working Men's Institute?—The rooms are open from two o'clock on Sunday afternoon till nine o'clock at night, but they are open to anyone, free of charge; the Sunday papers and the better class of books are on the tables; novels and the lighter class of literature are put aside, so that, as far as we can, the Sunday afternoon books and papers are suitable to the day.

3030. I think I am not wrong in saying that the persons connected with that institute have recognised your services publicly, and presented a public testimonial to you, at which I had the pleasure of being present?—It was so. They presented

presented me with a beautifully illuminated address, signed by 1,716 members of the Institute.

3031. You are acquainted, are you not, with the Bill concerning which this Committee is now sitting, the Sunday Liquor Bill?—Yes, I am.

3032. Do you know what opinion the working men, so many of whom have come under your observation, have formed of this Bill?—Since the Bill was introduced into the House I placarded the town of Leeds with a notice of a meeting at the Working Men's Institute, calling their attention to the Bill that was introduced into the House by Mr. Abel Smith and Mr. Baines, and a meeting of 400 to 500 working men took place; they were all working men, and I explained the provisions of the Bill and asked for a discussion, and questions to be asked, and there was a discussion and questions were asked, and then a resolution was proposed, that, in the opinion of this meeting this Bill was calculated to be of great value to the working men of Leeds; I put that motion to the vote and every hand in the room seemed to be held up for it, and when I put the contrary one single hand was held up.

3033. And that was the result of a meeting at which there had been considerable discussion?—Yes, at least there was some discussion; we could not get anybody to oppose it; the difficulty was in finding any opponent to this measure.

3034. Mr. Roebuck.] There really was no opponent in the room, was there?—There were one or two; for instance, I was asked this question: Mr. Chairman, is it a fair thing that you should deprive us working men of the privileges which you have yourself? and I said that this Bill would affect me as it would affect them, that I could no more go into the Queen's Hotel and get a glass of wine on Sunday if this Bill were passed, than any one of them could go into a beer-house; they then referred to my club, and on that I said there is not the slightest difficulty in the world in a hundred men like yourselves forming yourselves into a club; I am sure you would conduct it properly if you did, and you would do what we do in our clubs; but I went on to say that my experience of my club, composed of above 300 members, was, that I never once saw, when troops were not quartered in our town, four gentlemen in the club at one time on Sunday, and that is my experience for many years.

3035. Mr. Baines.] I think I may say that, from your residence and from your duties as magistrate, and from the locality of your club, you have not very unfrequently been led to call there yourself on Sunday, so that your opinion is of some value upon that subject?—It is so; I have some duties to discharge, and have frequently gone and got a cup of coffee there on my way to my place of worship, that is why I go there more frequently than some other people do.

3036. May I ask, with regard to this meeting, which you say was held, and at which it has struck the Honourable Member for Sheffield that only one single person was present who was opposed to the bill, was it called generally, or was it called of those alone who favoured the bill?—It was addressed "Working Men's Institute.—A meeting will be held to discuss the provisions of a Bill for the partial closing of beer houses, and public-houses, and to pass such resolutions as the meeting may determine upon."

3037. Mr. Yorke.] The meeting consisted of members of the Working Men's Institute only?—Yes, but every one can become a member by 0.69.

payment of 1*d.* No one could come into the room unless they were members, but on all important questions I may say, in answer to the Honourable Member, persons pay 1*d.* to come in and discuss any social question that we have before us, for instance, on the subject of strikes, persons will come and pay 1*d.*, simply to come and discuss the question on any particular night.

3038. Mr. Knatchbull Hugessen.] How many members are there altogether of the Working Men's Institute?—There were between 400 and 500 in the room that night; probably there would be 700 altogether.

3039. Mr. Baines.) Do you mean on the occasion of lectures and peculiar attractions?—Concerts and musical entertainments possess peculiar attractions to working men, and they would be there in large numbers.

3040. Of course you mean on week days?—Yes, entirely.

3041. Will you state whether you have reason to know what the opinion of the magistrates of Leeds generally is concerning this Bill?—A meeting of the magistrates was held, and I was authorised by them to express their opinion that this Bill would be of great value to the town of Leeds.

3042. Was that an unanimous opinion?—There was one dissentient.

3043. Was the subject discussed?—It was at some length, and was thoroughly well understood.

3044. Did those magistrates include the persons who give licenses at the Brewster sessions and those who attend to the administration of the law with regard to them?—Yes.

3045. Do you consider that the Act which closed all drinking-houses from twelve on Saturday night to half-past twelve on Sunday has been of great advantage?—It was a most admirable measure, and it has operated most beneficially; I know of no general Act upon the subject of drinking which has operated so beneficially upon all classes as that Act has done.

3046. If you were to select any class of society and to say that it had done them more good than any other, what class would you select?—I should say the publicans and beer-house keepers themselves, because it has operated in every way beneficially to them. It gives them an opportunity of having half the day on Sunday to themselves, and it gives them the opportunity, which many of them embrace, of attending places of worship, and it has acted in every way advantageously to them.

3047. Do any of the drinking establishments in Leeds close altogether on Sundays?—Several of the largest establishments; and they have been most prosperous. I state, from my own knowledge, derived from the people themselves, that they do close entirely on Sunday, and that they have been very prosperous; eight or 10 of the largest that we have in the town are never opened on Sunday.

3048. Is this the experience of some years?—This has been for many years in the case of some of them.

3049. Have you heard any publicans or beer-sellers express an opinion upon the desirableness of closing their establishments on Sunday?—I have heard scores of them say that if it was only the law they should be delighted to have a total closing on the Sunday; and when I have naturally enough said, "But why not close yourself?" They have said, "We should lose our weekday customers

D. Lupton,
Esq.

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customers altogether if we would not give them, or could not give them, on Sunday, the refreshment which they could get elsewhere; but if it was the law for all to be closed we should be delighted." I have heard that from many scores of them.

3050. With regard to those who are in the habit of attending public-houses, what particular class should you think are most injured by Sunday drinking?—Of all the classes of the community, young women are most damaged by it, and for this simple reason, that in a town like Leeds, where all the men and women, and almost the children, are at work in the factories, or in some industrial occupation, the young women work till the evening, and then on weekdays they go home, and have household duties to attend to, mending their clothes and washing; and as a rule, they do not go into drinking-houses on weekdays, and do not put on their Sunday garments, but on Sunday, naturally enough, the women like to put on their best things, and then it is that they can meet their sweethearts, and too many of them were in the habit of frequenting the public-houses and beer-houses; but 15 or 16 months ago the town council of the borough of Leeds got introduced into the local Act a clause giving the power to the magistrates, if they saw fit, to prevent any music on the Sunday, and the result was that the magistrates very soon put that law into operation, and the number of young women in public-houses and beer houses has wonderfully decreased. In fact, it was not the attraction of the drink, but it was the company, the attraction of the music and meeting their sweethearts that induced them to go there. That Act, I believe, has been one of the restrictive measures which has worked admirably in the town of Leeds.

3051. Then that provision enabling the magistrates to put down Sunday music is in a local Act, and is not the general law of the land?—That is so.

3052. The general law of the land allows, does it not, the performance of music as an attraction in public-houses on Sunday evening?—That is so.

3053. And you believe that its general operation is exceedingly injurious, and especially upon the characters of young women?—I have not the slightest doubt about it.

3054. What in your opinion is the effect of Sunday drinking upon working men?—The thing is patent in a town like Leeds; the large mass of men who are not of the first class of working men go to the public-house, on the Saturday. Many drink on the Saturday night, and then as soon as the hour of half-past 12 on Sunday comes, unfortunately many of them go into the public-houses, and they will be there on and off during the whole of the Sunday afternoon till 11 at night, when they are turned out; and then if not positively drunk, they are in such a state of muzziness, that they are unfitted for work the next day. I have ascertained by personal inquiries from the large employers of labour in Leeds, that their own works suffer materially, because of the drinking on the Sunday. Men do not get to their work on Monday morning at 6 o'clock as they ought to do, and this, naturally enough, particularly applies to those trades or occupations in which they are not dependent upon the movement of machinery. In our large mills, where they are

obliged to be there, or are turned off, there is a good deal of regularity established amongst them; but in such trades as joiners, blacksmiths, whitesmiths, and bricklayers, and all that class of occupation wherever men work piecework, and where they are not dependent upon machinery, you will find that the broken time is on the Monday morning, and unfortunately that extends sometimes over the whole of Monday and to other days. I had a practical illustration of it this day fortnight. We have a small committee of magistrates, whose duty it is, whenever any structural alterations are required in the licensed victuallers' houses in the town of Leeds, to go and see what those proposed changes are. This day fortnight, with two other members of the committee, I went into a licensed victualler's house, and after doing what we had to do, I entered into a room where there were half-a-dozen men drinking, and I said, "What are you about my lads, are you out of work?" One man said, "Nay, sir." I said "What is it then?" Then, hesitating a moment, he said, "To speak the truth, we were drinking yesterday." I said, "That is very stupid work." "It is, sir," he said. One young man, who was a very respectable looking man, said, "Yes, I have taken the pledge several times, and I am sorry to say I have not had strength of mind to keep it; if I could have kept it, I should have been worth many hundreds of pounds, sir; but I am not as bad at this drinking as the man that you first spoke to." I said, "How is that?" He said, "He was brought up for a minister, and he passed five examinations at the Council of Education, and he got many certificates; but he is now a bricklayer's labourer." That conversation occurred this day fortnight.

3055. Those were men who had been drinking on the Sunday, and whom you found there on the Monday?—Yes; a fortnight ago this morning.

3056. This you give as an illustration of what you believe frequently takes place?—Certainly I do; it is no exceptional case; it is a case which does occur, unfortunately, too often.

3057. Do you believe that if there were a complete break on Sunday, and the attraction of the temptation was taken away on Sunday, it would operate generally in favour of temperance?—I am perfectly sure about it; if there was a break on Sunday the men would come to themselves, and they would not be so utterly benighted as to go and sacrifice a part of their time on the week day?—It would be beneficent in its operation, I am sure.

3058. Your business as merchant makes you well acquainted, does it not, with the populous clothing villages round about your borough?—Yes.

3059. Do you know what the effect of Sunday drinking upon the working classes is in those clothing villages?—I do not know it to the same extent as in Leeds; but I know perfectly well that they are very much addicted to drinking, and it unfortunately operates very prejudicially in this way: they are hand-loom weavers, and, consequently, having their work at their own homes, they are not dependent upon machinery, and I find the drinking prevails to a greater extent than in many trades in Leeds.

3060. Do you know that the habit of Sunday drinking prevails much there, and that it interferes with their industry on the Monday and the rest of the week?—Yes, it does so.

3061. Have

3061. Have you had occasion to know whether the employers of labour generally wish to see the restrictions proposed by the present Bill with regard to facilities for drinking on Sunday become law?—I have spoken to a great many, and some of them representative men in almost every class, and there is a complete concurrence of opinion that it would be a most desirable measure. Many of them deplore that good minds do often give way to drinking on the Sunday, and are unable to come to their work on the Monday morning, and that they have to turn them off occasionally as an example to the other men.

3062. Do you think, viewing the thing coolly, that there are advantages arising from Sunday drinking which might overbalance the disadvantages of which you speak?—No, I cannot conceive of any; I know of none.

3063. You believe that the men and their families would be better and happier if Sunday drinking were entirely suppressed?—It is a proposition about which any man acquainted with the working classes could not have the slightest doubt.

3064. I believe you have statistics with regard to the number of cases of persons brought up for being drunk and disorderly on the various days of the week, but I wish previously to ask you whether you give any instructions to the police with regard to persons found in the streets drunk, which tends to diminish the number of those who are brought before you as a magistrate?—The instructions are these; that any man who can make his way home, and is not really riotous in the street, or disturbing the neighbourhood, if he will go home, is let to go home; and there is no doubt that the large mass of cases of drunkenness are of this description. And therefore the police statistics really do not furnish any adequate account of the number of drunkards on the Sunday, or in fact on any other day of the week.

3065. Will you tell us if you have any recent statement of the number of cases of persons brought up on Sunday, or other days of the week, for being drunk and disorderly?—I have a return, which I desired the chief constable of Leeds to make for me, and it is made up for six weeks, ending the 31st of March this year; and the number of cases that have been brought before the magistrates for drunkenness, or drunkenness and assaults arising out of drunkenness, which very often occur, is 158 on Sunday.

3066. Do those cases occur on the Sunday, and are then brought up before you on the Monday?—Yes.

3067. Those are cases of drunkenness committed on the Sunday?—Cases that are brought on the Sunday, that would be from 12 o'clock on Saturday night till 12 o'clock on Sunday night.

3068. Mr. John Abel Smith.] Does that include both drunkenness and drunkenness with violence?—Yes, when the assaults are combined with drunkenness.

3069. And drunkenness pure and simple?—Yes, drunkenness pure and simple, where they have been riotous.

3070. Mr. Yorke.] When are the Saturday cases taken if the Sunday cases only are taken on Monday?—The numbers on Saturday are taken up to 12 o'clock on Saturday, and therefore I put them altogether. Those cases are 0.69.

heard on Monday, but they are distinguished. The number of cases on Sunday was 158; on Monday 83; on Tuesday 131.

3071. Mr. Roebuck.] What number of hours does that represent?—It takes the 24 hours, from midnight to midnight. Those are the number of cases that have come before the justices on that day; but I have got a return from the chief constable of the cases that are brought in by his men from 12 at night till 12 the next night.

3072. My difficulty is this, to know whether you do not adjudicate upon a larger number of hours on the Monday morning, than you do on the Tuesday morning?—We do; but that is not the question which I was asked by the Honourable Member for Leeds; because you will find that while there were 158 cases on Sunday, there were 172 on Saturday, all of which will come before the magistrates on Monday; and they are distinguished from the Sunday cases; Tuesday is 131, and the excess over Monday, and over the following day, is to be accounted for somewhat in this way. There are many cases in which drunkenness arises, and assaults are committed, where the police only can get the names of the parties on the Monday, and therefore in those cases, they apply on the Monday for a warrant, and the cases are brought up on the Tuesday. They generally go to the houses after the people are gone to bed at night, so as to find them at home; they are brought up on the Tuesday, and that will account in some measure for the larger number of cases on the Tuesday, than we find either on the Monday or on the Wednesday. The number of cases on Wednesday is 93; on Thursday 66; on Friday 61; and on Saturday 172, which is the largest number of all.

3073. Mr. Hibbert.] Is it not the case that some of those 158 cases which are put down for Sunday, would arise from drunkenness which occurs on the Saturday before 12 o'clock?—That is possible.

3074. Have you no return which would illuminate those?—No, I have not; what I asked for was exactly as I tell you, the number from 12 o'clock at midnight to 12 o'clock at midnight of the next day.

3075. Mr. Baines.] All that were brought in up to 12 o'clock on Saturday are included in the Saturday cases?—Yes.

3076. But all those after that are included amongst the Sunday cases?—Yes.

3077. After the testimony which you have given, I scarcely need ask you whether you approve of the Bill which is now before the consideration of Parliament and this Committee?—I have not the slightest doubt about it; I may state that I desired our chief constable to take for me in three wards of the town the number of people that were drinking in public-houses and beer-houses, from the time the police went on duty, until 11 o'clock, the closing hour; and he gave me a return of those numbers; I desired him to take three wards distinct in their character, and if the Committee will permit me, I will give you the results. The north-east ward is the worst ward in the town, with the exception of the one in which the Rev. Edward Jackson is the minister, which is the worst ward in the town; and the north-east ward is the second worst ward in the town for the low character of the inhabitants; we have in that ward 25 licensed victuallers' houses, and 65 beer-houses; and between the hours of 9 and 11 on Sunday week last,

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there were in the public-houses of this north-east ward, 408 men and 98 women; and in the beer-houses, 776 men and 113 women.

3078. *Mr. Roebuck.*] Can you state the population of that ward?—The population of the north-east ward is 26,582, and there are in that ward 3,928 burgesses, or about that number, who will be the future electors under the new law; in this ward that I now speak of there were 1,394 persons drinking in the beer-houses and licensed victuallers' houses between the hours of 9 and 11 yesterday week; you will observe that in this particular ward which I tell you is the worst ward, there were 98 women in the public-houses and 112 women in the beer-houses; but in the next ward that we come to, which is one of the crack wards of the borough, the north-west ward, we have a population of 16,561, with 2,726 burgesses, and there the drinkers were 816, but in this ward, instead of there being above 200 women in the drinking-houses there were only six women.

3079. That is a well-to-do ward, is it not?—That is one of the best wards, because it is a respectable part of the town; they are a lower class of people who live in the first ward; then the third ward that we have taken is peculiarly a working men's ward, but it is the highest class of workmen, men who are employed in locomotive engine building, working men who get large wages, and who are, confessedly, in our town, the most thoughtful and the best class of working men, men who care more for their wives and families than the majority of the people living probably in the north-east ward; in this ward, the Hunslet Ward, there is a population of 25,700 inhabitants, and there are 5,500 burgesses in it who will be, as I say, the future electors in all probability, and in this ward there were 1,193 persons drinking on that evening, but out of the 1,193 drinkers there were only 73 women against above 200 in the north east-ward.

3080. *Mr. Baines.*] Have you received any special and even very strong testimony on the subject of the approbation of this Bill from a very large employer of labour whom you consider as representing the body of employers generally, and whose testimony you would consider to be of special importance?—Yes, one of the largest companies in our town, the Kirkstall Forge Company, the acting partner in which said that it would be a beneficent measure for them and a most popular one; and one of the largest curriers and shoemakers in the place, employing in their own establishment 1,500 hands, said it would be a most beneficent measure, and would act most beneficially upon the working men.

3081. Does the Kirkstall Forge belong to Messrs. Butler?—Yes, the firm is called Beecroft, Butler and Company. Mr. Beecroft the Member, was a partner in this large concern, which employ many hundred hands; it is a vast concern, like a small town.

3082. Those gentlemen expressed very unhesitatingly their opinion that the passing of this Bill would be a most beneficent measure?—Yes.

3083. *Mr. Roebuck.*] I want to know how far we agree, and when divergence comes between our opinions; we both agree that drunkenness is a great evil and that drunkenness amongst women is about the greater evil of the two, and that if we could prevent the working men from getting drunk on Sunday, it would be a great advantage. Let me ask you, do you think that it would be a great advantage if we could prevent working

men drinking at all without getting drunk?—I am not at all prepared to say that, because many men think that a certain amount of beer is good for their health. I think a certain amount of wine is good for my health, and I should be very sorry to debar them of privileges that I enjoy myself.

3084. I may gather at once that you do not think that it would be of itself a benefit to society to prevent men drinking, and drinking moderately, on Sunday?—I am not at all prepared to say that it would be a disadvantage to allow them to drink a glass of beer on Sunday. I have no desire to do that; but, at the same time, I may say that I opened a public dining-room, and had it open for two years, and cooked dinners for a hundred men every day. I had nothing but working people, and my place was, for a length of time, full, and they evidently enjoyed their dinner, because I had dinners well cooked for them at the lowest price, and they had no beer there; but bad times came on, and I found that I was losing too much money, and was obliged to shut it up.

3085. You mean that the people did not come?—They could not afford to pay. We had very bad times, and, as you are probably aware, unfortunately a great many men were out of employ, and a large establishment must be kept up by a large number of persons, and, therefore, I was obliged to do what other people had to do: I gave it up.

3086. I am now supposing that you could exclude all the artisan population from any place of drinking on the Sunday; what do you suppose that they would do?—Some of them will have beer, and they would purchase it on Saturday night and take it to their own homes; but, very happily, they are a very small number compared with the large mass of our working population.

3087. Then, what would the other people do?—Many of them would buy their beer, as some of them do now, in quart bottles; and there are a more respectable class, who buy a barrel of beer and have it at home.

3088. But you do not quite see what I mean. I do not mean what they would do with regard to drink, but what they would do with themselves if they were entirely shut out from any place of this sort of recreation?—There is no mistake about it, that the large mass of our working people would go out for recreation, as many of them do now in fine weather, in the fields, and walk about. In our town we have a very large number of public footpaths leading out into the country, and I hope we shall have public recreation grounds established in all parts of the town.

3089. People who take that sort of recreation, I suppose are liable to get thirsty?—Yes, no doubt.

3090. Then would you condemn them to satisfy their thirst with water?—It is the best thing for them.

3091. That is, in your opinion?—It is the best thing for them if they are merely thirsty.

3092. But do you think it would do me any harm if, by and by when I am thirsty, I should get a bottle of soda water with a glass of wine in it?—Not the slightest.

3093. Do not you think that I should consider it a hardship if I might not have that glass of wine?—I dare say you would; and I do not wish to restrict the working man from having it. I tell him that it is better for him to have it at his own

at home, rather than to be going to a public-house; but in all these matters individuals must give way to the general good; it is so minor an evil compared with the enormous evil of drunkenness.

3094. Have you not observed in your own class of life, and within your own knowledge, a great improvement in the habits of gentlemen in our position?—Yes.

3095. That has not been the result of any legislative interference?—No, it is the education and habit of the times.

3096. Have you paid attention, in the same way and for the same purpose, to the habits of the working classes?—Yes; a decided improvement has taken place.

3097. And that without more aid from the Legislature than as regards the partial shutting of public-houses?—The partial closing, by growing restrictions in the way, has assisted in the gradual change which has taken place. I could draw a very clear line of demarcation between the drinking class of men and the large mass of working men, who are very respectable men, and who do not frequent public houses; the large mass of our best men, if they get anything to drink at all, get it at home.

3098. Now let me put an argument into your mouth, which, if it be not correct, I beg you to state that I am in error. You suppose that, because good has arisen from partial closing, therefore entire closing would also produce good? I think it would produce good; but I should refer the measure proposed in the Bill to total closing.

3099. You prefer this measure because it allows people to drink between certain hours?—Because it gives them the facilities that we in our position in life have at home; it gives to the working man the same opportunities that you or any other gentleman possesses at home.

3100. Not quite, because he is not allowed to go in there to drink what he buys?—Nor am I.

3101. But then you have your club?—But nobody exercises that privilege, as you know.

3102. I do assure you that they do exercise it in this town?—But they do not in Leeds.

3103. Under this Bill, a working man would not be able to drink what he bought in a public-house, using that word generally for public-houses and beer-houses, what is the class of habitation of the great body of working men in Leeds?—The great mass of them live in better houses than such people generally do live in in London; decidedly better; and as a working woman said to me yesterday week, "I should be ashamed of myself, sir, if my house was not as comfortable as any beer-house or public-house in the borough of Leeds." I believe that it would lead to this, that working men's wives would study much more to have their homes clean and thoroughly comfortable than, perhaps, unfortunately, they do now. The working man goes away from his house to the drinking-house, and leaves his wife and children at home; they are neglected and uncared for, and the women becomes careless and indifferent, whereas, if he was led from any cause whatever to seek his home as the place that he would naturally go to, it is an incentive to the wife, and no doubt the best incentive in the world, for her to make her home all that a working man's home should be.

3104. But if the house be a small house, and the man has a large number of children, I take it

that you would not condemn him to sit in that home all day, because men do not like the noise of children, and although they love their children, they do not want them all the time about them, but if a man is confined to one room, and he must drink, and have his meals in that one room, according to this Act of Parliament, do you think that that would be no sort of imposition or restraint upon him?—No, I really do not think it would; I believe that in a very short time he would tell you that he was a far happier man than he had ever been in his life before.

3105. Will you tell me, if you can, what is the precise number, or nearly the precise number of artisans, to use the words generally, in Leeds?—I cannot tell you.

3106. What is the population of Leeds?—We had 207,000 by the last census in 1861, and it would be 220,000 now, perhaps, it is rapidly increasing.

3107. Then those 220,000, upon the whole, are well behaved and estimable people?—The large mass of our people are.

3108. And those drunkards that you talk about are a very small exception?—They certainly are exceptions to the general well being, happily, of our town, but there are far too many of them.

3109. That is to say, we should be all delighted if there were no drunkards?—I should for one, and I am sure you would.

3110. Should you say, generally speaking, that it was a large per-centage of the population who get drunk?—In the wards that I have given you the drinkers were five per cent. upon the population.

3111. But upon the whole what do you suppose it is?—It would be about the same; I took three wards.

3112. You stated that the people were drinking that were found in the public-houses on that particular Sunday, but you did not say they were drunk?—No, I say that they were drinking.

3113. I draw a broad distinction between drinking and getting drunk; you have not told us how many of those people in the drinking-houses were drunk?—I could not tell you; we have the greatest possible difficulty in defining what drunkenness means.

3114. Do you believe that you would have the per centage of drunkards that you have spoken of as compared with the 220,000 persons?—I think it is a very large number of people out of a population of 220,000; if 5 per cent. of that population are away from their houses drinking on Sunday evening.

3115. Supposing a man having perfect command over himself, chooses to spend an hour on Saturday night at a public-house to see his friends and to talk over things that interest him, do you think that that would be a mischief?—I am not at all prepared to say that it would be a mischief on Saturday night.

3116. You are not prepared to say that it would not be a mischief?—I cannot say that it would not be a mischief; I would rather see that man in his own home with his family, because it is a selfish act on the part of every man going to a public-house.

3117. Even in the case of a man having been at work for six days having perfect command over himself if he thinks that he may have that enjoyment for one hour in a public-house on Saturday night, do you mean to tell me that you think that a selfish proceeding?—I certainly think

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think it is selfish; his wife and his family are not with him enjoying his money along with himself.

3118. Do not suppose that I am asking an indiscreet and improper question, but do you never pass an hour in your club without your wife and children?—I do not for pleasure.

3119. Never?—Never.

3120. Not even when you go to take that cup of coffee which you spoke of?—I go and get my cup of coffee and my lunch there.

3121. But you do not think that selfish because your wife and family are not with you?—No, I do not; I am obliged to do so.

3122. You do not suppose, do you, that every enjoyment that a man takes he must allow his wife to have?—I cannot say that I do; but I think he is the wisest man who does share his enjoyments with her.

3123. To put this in a definite manner; after six days of hard labour, would you condemn a man, having perfect command over himself, who chooses to pass with his friends an hour in a public-house?—I am not prepared at all to condemn such a man doing that; but if that man asked me what was the best mode of going on, I would say, if I were in your case, I would take a bottle of beer home, and enjoy it with my wife and children at my supper, rather than I would go to a place which has a polluted atmosphere, and which reeks with smoke, and which is about as vicious a place as can be.

3124. You know that it is the habit of us Englishmen to sit at dinner, after what is called the women leaving the table; it is not a custom which I like, but still it is done, is it not?—Yes.

3125. Do not yourself practice it?—Very little.

3126. But you see it practised in daily society, I presume?—I hear that it is done.

3127. Do you think that there is any great mischief in that, and is not it similar to a man going to a public-house for one hour?—I think it would be a great deal better, if when the ladies left the table the men were to join them, as gentlemen sometimes drink more wine than is good for them.

3128. That is rather a bad symptom at Leeds, because I do not see it in London?—Unfortunately it is the case sometimes.

3129. I think I understand you, that you fancy that this complete restraint imposed by this Bill upon the the working man especially, because one need not hide the fact, would be a positive good?—It would be a good to a very great degree indeed.

3130. You do not think that the co-existent mischief, or evil, or imposition, whatever you choose to call it, of preventing a man having the means of satisfying his desire for drinking a glass of wine or a glass of beer, which is prevented by this Bill, is anything like the countervailing benefit on the other side of the question?—Certainly not.

3131. Therefore you are prepared to have your excursionists who go out in such immense numbers on Sunday, compelled to take their liquor with them?—I am not at all prepared to say that, but I understand that according to this Bill, persons who are travellers have the same privileges as they have now.

3132. But with regard to the very large class of persons who take a walk on an evening after

service and go out into the fields, as I should do if I were an inhabitant of Leeds, and if I were able to do it, you are of opinion that they should have no means of satisfying thirst if it comes upon them, except by drinking cold water that runs in the brook?—I do not think that they stand in need of it. A man who has been working the whole week, as a rule, does not go out such a distance into the country as to require any refreshment; he goes out merely for recreation. I see those men strolling past my house $2\frac{1}{2}$ miles out of town, just walking as leisurely almost as their legs can carry them, evidently as we should express it in Yorkshire, dawdling along with pure enjoyment, and then when they have gone out their $2\frac{1}{2}$ miles they will walk back again. A man does not start off on a Sunday to walk 10 miles into the country; that is not the ordinary means of getting recreation amongst us.

3133. I come to this general conclusion, that you believe all the restrictions in this Bill are beneficial?—I do, most assuredly.

3134. And that the present law has not been carried far enough?—I think so.

3135. You say that, taking into consideration, and admitting that, up to the present time, the law has worked a great deal of good?—Yes; the present restrictions have worked very beneficially, and I believe that those further restrictions will act more beneficially still, and that the working classes, five years hence, if this Act comes into operation, will be the very people to say, "We are delighted that it is passed," and that we shall have the homes of our working classes essentially different from what, unfortunately, we too often find them.

3136. *Mr. Knatchbull-Hugessen.* You told us, I think, that the licensed victuallers had received a good deal of benefit from the restrictions of the present law?—Yes, certainly.

3137. Have you had any communication with them as a body?—No.

3138. No memorial has come from Leeds, has there, in favour of this Bill, from the licensed victuallers?—No.

3139. But if they were very much in favour of further restrictions, do you think that such a body are so little awake to their own interest that they would not have memorialised Parliament?—You are no doubt aware that there is a most gigantic association existing amongst them called the Licensed Victuallers' Association; and when I have said to any of the publicans, "Why do you not assist in this movement?" they at once said that they would not go opposed to the association, because they are more or less dependent on it. It is a gigantic association, extending in its ramifications throughout the whole empire.

3140. That is to say, the majority of the licensed victuallers hold a contrary opinion to that which you have expressed, and that that great organisation is against your Bill instead of for it?—I believe that is so. I have not heard that they have discussed the matter, but I have no doubt that that is the case.

3141. You could not tell us the number of the working population of Leeds, but you told us the number of persons who belonged to your excellent institute, and you said that when subjects peculiarly attractive to the working classes were brought forward, the large number of 1,500 or 1,700 people attended, upon the average?—Not upon the average, but occasionally. I said that this large attendance was when there were concerts

concerts or dramatic performances, which were put up by themselves.

3142. Had they to pay a penny for admission to the meeting which you held in favour of this Bill?—Yes.

3143. Then it comes to this: that this object, which you say is so much desired by the working men of Leeds, did not possess as much attraction as a concert or an ordinary meeting of the institute?—No.

3144. You had 400 or 500 persons present, and you had only one hand held up against the resolution?—Yes.

3145. Would you infer from that that the inhabitants generally agree with the objects of your meeting?—Certainly; some of these men expressed to me that opinion, speaking for themselves and their fellow workmen, that they knew that this measure would be a beneficial measure.

3146. When so very small a proportion of the working men out of so large a number attended, suppose it would be open to any one to say that it was possible that those who did not attend thought that the objects of the meeting so unlikely to be attained, looking at the present state of feeling upon the question, that they would not like the trouble to come to oppose?—It is a very difficult thing to say how it is.

3147. Therefore the unanimity of the meeting may be in your favour, but the paucity of the numbers would be rather in favour of your opponents?—It may be put in that way, but I do not at all ascribe it to that.

3148. What class should you say mostly frequent public-houses on Sunday?—The class of people below the respectable working men, and a great number of men do go in to get a single glass, and, unfortunately, going in with that intention, they are too often led on to drink more than mere good fellowship.

3149. You stated, did you not, that the largest houses in the town were now closed on Sunday?—Entirely closed.

3150. Do those of working classes who frequent public-houses on Sunday go to those largest houses generally?—They are dram shops and houses where drams are sold, and people do not sit there for the most part as long as they do at the other licensed victualling houses or in the beer-houses.

3151. Those houses that are closed, in fact, are the houses that the greater number of the working classes do not frequent?—Yes, they frequent them.

3152. You stated that the class which was most demoralised you thought by the opening of public-houses on Sunday were young women?—Yes, most assuredly.

3153. I gathered from your answer that young women used to go there to meet their sweethearts, where there was music, but now that you have put a stop to music they do not go?—They do not go to the same extent. Unfortunately, many cases come to my own personal observation at petty sessions in adjudicating in cases of bastardy, where the ruin of young women has been the result of going to those places, and has taken place after they have been drinking with their sweethearts in those houses; that has come out time after time in petty sessions.

3154. You gave us a very affecting instance of a man who was brought up as a minister, and who ended as a bricklayer's labourer through drink, but I presume you connect that with

drinking irrespective of drinking on Sunday?—Yes, certainly.

3155. Do you think that a man educated in that position, and falling so low, could have been restrained by any possible restriction if this Bill had been in force?—I do believe that putting those restrictions in the way would have operated most beneficially upon him. There would have been the break of the Sunday upon the drinking, and many a man will go to a public-house and get drunk, who would hesitate a very long time before he would get drunk at his own house, before his wife and his children.

3156. With regard to there being no advantages in drinking on Sunday, are you a beer drinker yourself?—I drink wine.

3157. Then you do not know what it is to draw a glass of beer over night and drink it the next day?—I do not know that I ever did such a thing.

3158. Then you are not a competent witness as to the popularity of such a measure, compelling working men to drink on the Sunday what was drawn on Saturday?—I can tell you what is the practice in Leeds, and I dare say it is so in other towns. Under the Act of Parliament which was passed enabling persons who sell $4\frac{1}{2}$ gallons, to sell smaller quantities in bottle, upon which they pay an additional duty of a guinea a year, and 5 per cent. Those people bottle their beer and sell it. I believe it is about the same price as if it was drawn out of a barrel, and therefore there is every facility given to a working man if he is so disposed to buy his bottled beer, and take it home and drink it at his own house, at his dinner or supper, with his family. But it is not as you suggest to me; it is not drawing out of a tap on Saturday night, and keeping it in a pitcher until the Sunday dinner.

3159. You think it would be equally good drawn and put into a small bottle?—Yes, to some particular tastes it would.

3160. I understand that you take your statistics for 24 hours from 12 o'clock in the morning to 12 o'clock at night; supposing people were turned out of a public-house at 12 o'clock on Saturday night, and afterwards became disorderly, would they come into the Sunday return?—They would.

3161. I presume that the most disorderly part of the population would probably remain drinking till the very latest hour that they could?—Yes.

3162. Therefore the probability is, that the worst of those drunken cases on Saturday would be those who stayed latest, and who are turned out at 12?—There is this to be said, that as soon as ever a man is really drunk, especially if he has got rid of all his money, the landlord gets quit of him; and it is not always the case that the worst cases remain to the end. A landlord does not like what they call a fractious man in his house; and he turns him out as soon as he can get quit of him. No doubt it would happen many times that they would stay till 12 o'clock, and are taken into custody on Sunday morning; but it is equally clear that the large mass of people do get home without coming into the hands of the police.

3163. Drink, of course, has a different effect upon different persons; it may excite some to madness, and others it may stupify, and they would sit very quiet; but when they began to move about and leave the house, they might get

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into a scrape. Therefore I take it to be very certain, although it is not proved, that a considerable per-centage of your Sunday cases are of persons who get drunk on Saturday night?—It is possible, certainly.

3164. You gave us a list of persons in several wards who were drinking on Sunday between nine and 11; did you follow that up by a statement next of how many complaints there were the day?—No, I did not.

3165. I suppose that a very large per-centage of those persons had no complaint made against them?—No doubt.

3166. Still you think that for the sake of the few who might have had complaints made against them, you would prevent the whole community from having any drink?—I think that the public good should be paramount.

3167. With regard to excursionists, you say that the Leeds people, as a rule, who pass your house on Sunday you think do not require refreshments?—No, I think not.

3168. Do not you think that if that is the case we have now arrived at a time when this question may be left to be determined by the persons themselves, whether they want refreshment or not?—As I understand this Bill, if they return home in the evening between eight and 10, the wife can go home and get supper ready, and the husband can get his pitcher of beer from the beer-house, or the public-house, and take the pitcher of beer into his house and enjoy his supper with his wife and family; that is the provision of this Bill.

3169. But you would not let him have any opportunity of drinking in the public-house?—Certainly not; a decent fellow does not want it.

3170. Even if he took his wife and family with him, you would not approve of it?—I should be very sorry to hear of a working man's wife going with her husband to a public-house or beer-house. Indeed I think, as a rule, they do not take their wives there.

3171. Do you think it would be a bad thing for them to take their wives there?—Certainly.

3172. And equally bad for them to drink alone?—I do not say equally bad; I say that it would be very bad indeed; a man must be very degraded indeed to take his wife among his drunken companions.

3173. If, as you say, it is a selfish act on the part of the husband if he goes and drinks alone at a public-house, and it is a worse thing still if he takes his wife, you place him, do you not, in an awkward predicament?—Except he does not go there at all.

3174. You start with the assumption that the public-house is a bad place altogether, do you not?—I do not say that.

3175. Do not you come very nearly to that, at all events on Sunday?—It is a worse place on Sunday than on any other day in the week, but I am not at all prepared to deprive working men of any privileges which I have myself.

3176. Do you think it would be better that the Legislature should pass a restrictive Act like this, or that it should be left to the people of the towns, or the several localities, to pass an opinion upon it?—I do not think that it is of very much consequence as far as the large towns are concerned, because I believe that, if the principle of Sir George Grey's Night Closing Act was adopted with reference to this measure, all the large towns would, within two years, adopt it; but in districts

lying outside large towns, it would not be brought into operation, and therefore I prefer the compulsory measure.

3177. Mr. Roebuck.] You stated that many of the houses that closed voluntarily on Sunday were the most prosperous concerns of that class in the town; and afterwards you said, that when you suggested to a man that he might voluntarily close his place on Sunday, he said, "I should lose my weekly customers," do you think that those two statements tally?—Perfectly; the one has a large establishment, is on vantage ground, can command a great sale, does his business uncommonly well, and has got an established position; but the other has a house which is limited in its capacity, and is struggling to get on, and does not like to lose a single customer; at the same time, I must say, if you ask me my opinion, that I believe they would all be more prosperous if they closed on the Sunday, putting aside entirely religious grounds, which I have nothing to do with here; I mean to say, that any man who will cease working for one day in seven, will manage his business much better with that one day's rest than if he went on all the week through.

3178. Nevertheless you think it a legitimate fear on the part of that man who suggests that there ought to be a law, because he would lose his trade if he closed voluntarily?—Yes, he wants protection. He said to me, "I only wish that you gentlemen could get it made law, and nobody would rejoice in it more than I should do."

3179. Have you ever thought of the mischief of the paying of wages on Saturday?—Yes, in the large mass of the establishments in our town the wage list is made up to Thursday night, and the wages are paid on Friday. I attribute to that, amongst other things, one of the amendments which we find amongst the working class. The women get the wages on the Friday and they spend it well upon the Saturday's market; and it is most beneficial. I should be exceedingly glad to see some Act passed (if it were possible to pass such an Act) that would render it compulsory.

3180. Then do I correctly understand you that in a great number of establishments at Leeds they pay the wages on Thursday?—No, they make up the time to Thursday night and then the wage-lists go into the counting-house on Friday, and the wages are paid on Friday.

3181. Did you ever find that because of that there has been an increase of drunkenness on Friday?—No.

3182. Mr. Yorke.] According to the results of the visits of the police, I think you found that there were about 5 per cent. of the population in those three wards drinking in the public-houses on that Sunday night; do you know at all the proportion of the unmarried men to the married men in Leeds?—No, I do not.

3183. But I presume it is more than 5 per cent. of the population?—I should think so.

3184. Is it not the case that a considerable number of unmarried men working in the town have nothing more than a bedroom or even a share of a bedroom?—Yes, that may be so in a great many cases.

3185. Would you not think it a great inconvenience to those men that they should be debarred from using the public-house for the purposes of society or whenever in bad weather they are unable to go out on those walks which you say they

they can take on Sunday evening; where would you propose that they should pass their time?—All those houses have what we term living rooms in addition to bedrooms. But the large mass of young men in our town are members of families, and it is one of the evils of this drinking system that if a young man gets paid more than he has to pay his parents he flings off from his parents and he will go off for himself rather than remain a member of the family. It is one of the evils which we continually see arising.

3186. Are there not a large number of young men in the town who have no relations in the town, but have come in from the neighbourhood because of the better wages that they get?—Yes, there are some young men who come from the neighbourhood, and they generally go home on the Saturday night and come in on Monday morning. There are a great many who do that in our town.

3187. Putting all those aside you think that there would be a comparatively small number affected by these restrictions?—So small a number that I am quite sure that the general good that would arise from it would far more than counterbalance any isolated cases of inconvenience.

3188. What is your opinion as to the amount of drinking in private houses amongst the working classes in Leeds?—I really do not know, it is the sots that drink in private houses, but they are very exceptional cases.

3189. You think that drinking in private houses is exceptional?—I think it is.

3190. Do you think that it is really exceptional, or would you consider that it is more difficult to arrive at a knowledge of how much goes on in private houses?—It is very difficult to get that information; I arrive at that conclusion from the circumstance that a man has always a certain sort of respect for his wife and children which would prevent his getting drunk at home.

3191. But you agreed just now that everybody not married in Leeds?—No doubt, and those unmarried men would not be allowed to drink much at the houses in which they lodge.

3192. Is not drinking in a man's own lodging more unrestrained than it would be in a public house?—No doubt; but if he gets drunk in his own house he does not inconvenience anybody, because he stays at home and goes to bed.

3193. Is not it also the fact that the cases which come before the police are chiefly those which take place in the public-houses, and are more easily detected, from the fact that a man is turned out at a certain hour, and if he is not in a condition to go home he necessarily comes under the notice of the police, whereas if he drank at home he would not?—Yes, that is so; if they drink at home they would not come under the notice of the police unless some row ensued in consequence of it.

3194. With regard to these statistics, you say that on Sunday there were 158 persons drunk, on Monday 83, and on Tuesday 131; I did not quite understand what you said with regard to the 31 on Tuesday?—It was this: that supposing assaults take place during Sunday night and early on Monday morning, if the police cannot get the names, or if there are two or three parties implicated he will bring one in and he will apply to the magistrates on Monday for a warrant against the other parties, and they are brought in, generally speaking, at night; the policemen execute

those warrants, as you are aware, at the dead of night, when they find the men at home, and then they are brought in and appear on the Tuesday's sheet.

3195. Then your inference is, that the apparent increase in the Tuesday cases is in reality owing to cases occurring on Sunday?—I believe it arises from that cause.

3196. It was stated by a witness two or three days ago before this Committee that he thought that the transition from the work day's labour of the working classes to the devotion on Sunday was somewhat too sharp, and that he wished that some kind of relaxation other than religious services could be afforded to the working classes on Sunday; what is your view by that question?—I have stated that I thought that the increasing of the number of means of innocent recreation is very desirable, and I have given a practical illustration of that by opening my own institution on Sunday afternoon without any change whatever; unfortunately but few persons go there; there are other attractions which are superior to anything that mere books present, and, therefore, it is very thinly attended. I have seen 40, 50, and 60 people there on a Sunday afternoon, and I should be very glad to see such means of innocent recreation opened in various parts of the town; and I believe that that would be one of the results of a beneficent measure like this; that it would lead men who are interested in the welfare of their fellow creatures, to consider the subject, and we should have institutions such as our own largely multiplied. I am speaking only of one, for mine is not the only one in Leeds; it is the largest, but there are two or three others in Leeds, and two or three in the outskirts of the town.

3197. How far would you extend your definition of innocent; how much ground would you make the word "innocent" cover in reference to recreation?—Everything is innocent to my mind that is not sinful.

3198. What I mean is, would you extend it, for instance, to the question of opening the museums and zoological gardens, and institutions of that kind?—That is travelling into a wide subject.

3199. The object of my question is this: Would you not think it preferable to adopt measures of the character which I have hinted at rather than by legislative enactments close the public-houses and force the people into the streets without any opportunity of amusing themselves in an innocent manner?—Certainly not; I think that this measure is so good in its character that other results will flow from it as a necessary consequence, and that such means of innocent recreations will arise out of it. But in all our large towns there is an enormous number of people that are amongst the well disposed, and yet occasionally go to such places. I have had a remarkable instance of that in our institution. I used to go on Sunday evening to read to those men, because a great many of them told me that they never went to a place of worship in their lives; I used, therefore, to go on Sunday evening and read to them; and then a lot of them came to me, and said one day, "If we had a religious service in our institution we would come to it." I applied to clergymen and dissenting ministers of all denominations to assist me, and up to the end of April we have had 700 or 800 working men attending that

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that religious service Sunday after Sunday, serving to show, to my mind, that those men, if they were drawn in any way within the scope of beneficent influences, are glad enough to avail themselves of it. Many of those men have said to me that their children reclothed, and their homes refurnished, have been the result of our Sunday afternoon services. As they said, they never went to a place of public worship for 20 years before, but they would come to the institute where members of the institute would keep them in countenance. So that I argue if you take away those gross temptations from the men and give them some innocent means of spending their afternoons, I believe that we should find most beneficent consequences resulting from it. I am perfectly certain, and I am speaking from what I know of Leeds, that the homes of the working classes would be essentially and entirely changed from what too many of them are; I have not the shadow of a doubt in my own mind as to what the result will be.

3200. Mr. *John Abel Smith.*] You stated that there were 377 licensed victuallers, 750 beer-houses, and 160 refreshment houses in Leeds, making a total of 1,287; have you ever turned your attention to the sum of money which is spent in each of those houses on Sunday?—No. We had a calculation made some years ago, and it was a very large sum.

3201. Any large proportion of that sum spent upon the homes and clothing and food of the family would make a very great difference?—Yes.

3202. Have you done me the honour to read the Bill which is before the Committee, and do you know the provisions of it?—Yes.

3203. And are you aware that one of the provisions is, that the public-house or beer-shop is to be open between 8 and 10 in the evening for the purpose of selling beer across the counter?—Yes.

3204. Would not that meet any reasonable want of the thirsty soul, that the Honourable Member for Sheffield has been alluding to?—Yes, certainly.

3205. Do you recollect Mr. Wilson Patten's Act in 1854?—Yes.

3206. That Act was in force for the period of a year, from August 1854 to August 1855; do you recollect the effect produced by it?—Yes, it was very beneficial as far as Leeds was concerned, and we were very sorry when it was repealed; it had a very important effect.

3207. Did it excite any disturbance or violence in Leeds?—Not the slightest.

3208. I think I understood you to say that the magistrates of that part of Yorkshire were in favour of restrictive measures of this kind?—The magistrates of the borough of Leeds were assembled, and we discussed that Bill; and after we had discussed it, we passed a resolution authorising me by a distinct resolution to come and represent their views to this Committee in favour of the Bill.

3209. Generally speaking, your views are favourable to restriction upon Sunday drinking?—Certainly.

3210. How far would you carry restriction; as far as the provisions were found tolerable and consistent with public acceptance?—I think that this Bill is fair and reasonable, and that it gives every facility, and that no one could fairly or reasonably complain; and I should be very glad to see it adopted, because I believe it would work quite well.

3211. Do you apprehend as the result of this Bill passing into law, that there would be any violent resistance to it?—Not the slightest.

3212. With regard to the habits of the working men of Leeds as to excursions, are there any means of going out any great distances, or is it merely walking out into the country?—There is no doubt that a large mass of excursionists go out by trains or omnibuses; as I understand all this class of persons come within the designation of travellers, and therefore they are outside the operation of this Bill; and the only persons who would be affected by it would be persons walking one or two miles out of the town finding a public-house or a beer-house in the outskirts, and finding it closed. I say in answer to a question put to me by one of the Honourable Members, that I do not think that a man walking out 2½ miles into the country needs refreshment. I do not myself, and I am not so strong as most men are.

3213. Then, practically speaking, there would be no reasonable amount of convenience of the people interfered with?—No, not at all.

3214. May I ask you if you have turned your attention to the effect of high wages or low wages upon public drinking?—I can scarcely say that I have. As a general principle I know that when men earn a great deal of money, they do very often spend it as lightly as it is earned.

3215. Is it not equally true that when people are suffering they are very much disposed to drinking?—That must depend upon the sort of people. If a man has a wife and family starving, he is a very bad man that will go and spend his money in drink.

3216. Do not you think that high wages may be taken as a test of continued drinking?—At Leeds, I know, within the sphere of my own observation, many men who now never go to a public-house because they are getting low wages.

3217. I gather from you, that although there has been no public meeting in Leeds about this Bill, you have a very strong impression that the general feeling of the town is in favour of it?—Certainly.

3218. Mr. *Roebuck.*] Are there any statistics which tell the number of Irish in Leeds?—We have about 20,000 to 25,000.

3219. What class of the population do they constitute?—They are the poorest of our people.

3220. Do they at all constitute any large fraction of the drunkard population?—They drink, but I should not have thought that they were amongst the mass of great drinkers. They get soon excited, as you know, under the influence of drink, and therefore it is more apparent than with some of our own native population.

3221. Mr. *John Abel Smith.*] The Roman Catholic priests take great pains with them, do they not?—Yes, they have taken great pains in trying to prevent drunkenness amongst them.

3222. Mr. *Roebuck.*] What class of amusements do you offer in your institution on Sunday?—Nothing but illustrated papers on Sundays, and good books, such as Smiles' books, entitled "Self Help," and books of that class, and all the Sunday papers, I take in, but it is altogether literature.

3223. You have no amusements?—No, not on Sunday, we could not have by our local law.

3224. Mr. *Knatchbull-Hugessen.*] Do you remember a petition from Leeds against Colonel Wilson Patten's Bill?—No, I do not remember it at all.

The Rev. EDWARD JACKSON, called in ; and Examined.

3225. Mr. Baines.} You are Incumbent of St. James, Leeds, and have been so since the year 1845, have you not?—Yes, I have been.

3226. Were you for 11 years senior curate of the parish church, under Dr. Hook, now the Dean of Chichester?—I was.

3227. Were you for five years chaplain of the Leeds Workhouse?—I was.

3228. Are you a native of Leeds?—I am.

3229. Have you lived for many years in the very midst of the most populous and poorest part of the population?—I have lived amongst them and have laboured in my ministerial capacity amongst them for a very long period.

3230. Are you thoroughly acquainted with the borough and its various industrial occupations, its social state, and its interests?—I believe that I am allowed to be well acquainted with them.

3231. Have you been for 35 years engaged in gratuitous efforts for the religious and temporal well-being of the working people of Leeds?—I have since the year 1833.

3232. Are you connected with all the charitable institutions of the borough?—I believe I am with all of them.

3233. May I ask what is the character of the locality in which your own church is situated?—The very lowest in every respect morally and socially of any locality in the borough of Leeds.

3234. Have you had considerable opportunities of observing the effect of Sunday drinking in public-houses on the working classes?—I have to a very large extent for a very long period, and from very close intercourse with the working classes.

3235. What is your view of the results of Sunday drinking upon the working classes?—If I was to be asked to single out any one cause which is productive of hurtful results to the working man more than others, I should say the opening of public-houses and beer-houses on Sunday for drinking on the premises.

3236. In what respect do you consider that it operates so prejudicially?—I think that coming after Saturday, the day when the working man has had his wages to spend, it keeps up the drinking tendency over the Sunday, and renders him unfit for work, especially on Monday, and oftentimes on Tuesday and even on Wednesday; the drinking habit is thus set in, and Sunday being a day of leisure, becomes a day of temptation and a day of danger, and thus the working man in consequence of the Sunday leisure and temptation falls into drinking habits, and finds it difficult to throw off the influence of drink when Monday comes and work has to be attended to.

3237. Do you believe that generally men's health is interfered with, by their spending the day of rest in drinking?—I cannot doubt it in a very large number of instances.

3238. Does what you now state of the bad effects of drinking refer at all to the sober, as well as to the intemperate portion of those who visit public-houses on Sunday?—It applies to the sober in this respect, that many of them are thus led eventually to become drunkards, and it applies to the intemperate, inasmuch as it gives them no chance of escaping from their intemperate habits. The Sunday is especially a day of leisure and danger, and an intemperate man can scarcely be recovered from his intemperate habits.

ance, because of the peculiar facilities which he enjoys on that day for carrying out that which is a hurtful habit and the bane of his life.

3239. With regard to the break which the law has established in the hours of public-houses being open on Sunday morning, say, from 12 on Saturday night to half-past 12 on Sunday, as is now the case, do you believe that that has operated beneficially?—I cannot doubt it.

3240. Do you believe that the good effect would be much confirmed and extended if the public-houses were closed for consumption on the premises during the whole of Sunday?—Most certainly.

3241. Do you think that there is any danger that working men would drink at home, and indulge in what is called secret or private drinking, to anything approaching the same extent as is now done in public-houses on Sunday, supposing the public-houses were closed?—I do not; I think that the presence of his wife and children would be a great preventive to sitting in his home; and I know now that a number of men who drink in public-houses would never drink thus, if they had their children watching them.

3242. You know, I am sure, a great deal of the working men's dwellings in Leeds, and I wish to ask you whether you think that the working men's dwellings would be improved by the total closing of public-houses on the Sunday?—If I understand the question rightly, it means that if public-houses were closed on Sunday, would the working man's dwelling then be made a more comfortable home from what it now is; I should say that decidedly it would to a large extent.

3243. Have you thought it your duty to see the interiors of public-houses on Sunday?—My duty has called me thither, not because I wanted to see what was taking place there on Sunday, which would have been impertinence on my part, and an intrusion on the owner of the house, which I had no right to offer, but in my ministerial capacity to minister to the sick and dying I am very frequently called into public-houses on a Sunday. I may add that, within the last three months, I have had four fatal cases in public-houses to which I have been called in my ministerial capacity.

3244. Were they on Sunday?—I visited those houses, in the discharge of my duties, on the Sunday as well as on other days of the week. I do not say that those cases of sickness were the result of drunkenness in every one of them, but in some cases they were. If the question were asked me as to the effect of the Sunday opening of public-houses on the publicans themselves, that is a distinct question, and I am quite prepared to answer it.

3245. First of all, will you state your general impression from what you have witnessed in visiting public-houses on the Sunday?—The scenes which I have had before me there were such as to convince me entirely that it is the greatest evil possible to the working man to go there, and that there is more demoralisation carried on in a public-house on Sunday evening than, I should think, during all the rest of the week almost put together.

3246. Do you mean by the use of profane or obscene language?—I mean, as far as I have had an opportunity of observing, that there is more drunkenness,

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drunkenness, and therefore there is more obscenity and more profanity, and that there is a mingling of the sexes on a Sunday evening which is not found on any other day of the week.

3247. Are young people in the habit of frequenting such places on the Sunday?—They are; but I may just corroborate the evidence of the previous witness, that since the passing of the local Act, by which music and attractions of that kind are prohibited in licensed houses on Sundays, the number of young people has very considerably diminished, and the evils which were suffered at the period previously to the passing of the Act are not now so great.

3248. Do you consider that the public-houses, being open on Sunday, is in the way of religious and benevolent agencies which are at work in the town for the benefit of the young?—That the opening of the public-houses and beer-houses on Sunday is in the way of religious effort there can be no question; but I would also say that the opening of those houses on Sunday is greatly in the way of all other benevolent and philanthropic efforts; for instance, Sunday schools. I believe that it would be the unanimous opinion of the immense body of Sunday school teachers of Leeds, who give their whole labour gratuitously, that if there is one cause more than another which interferes with and negatives the good influence of the Sunday school, it is the public-house and the beer-house being open on Sunday.

3249. Do you believe that many boys and girls of the age which may be considered the most dangerous age in life, are taken away from your Sunday schools by the early presentation to them of the temptations of the public-house?—I have been repeatedly told by the managers of our Sunday schools in Leeds that they consider that one-half of the scholars who are drawn away from their influence, about 14 or 15 years of age, are drawn away through the drinking influence in the public-houses on Sunday.

3250. Must not one-half really amount in the course of a year, or in two years, to hundreds and possibly even to thousands, considering the vast number of Sunday scholars that are in Leeds?—I have not made any calculation in that respect, but I should infer that the number would be very large indeed.

3251. Do you consider that females are especially liable to be affected by their attendance at public-houses on Sunday evening?—Of all classes of the community they are the class to whom the public-house influence on a Sunday is the most deadly. A girl from 14 to 18 once drawn to the public-house to drink on Sunday evening is almost certain to fall; and my experience in connection with the Penitentiary of Leeds, what we call our Guardian Asylum, of which I am frequently chairman, has ever been to that effect, that those who are brought there in a great measure have to trace their fall to their having been drawn to the public-house on Sunday.

3252. Have you several times engaged with other good people in the midnight meetings for gathering those unfortunate females and endeavouring to produce a good influence upon them?—I have.

3253. Has that enabled you also to speak with some confidence as to the injurious effects of the Sunday opening of public-houses upon females?—It has; and I may also add, that I am considered to be almost more than any other person in Leeds the one to whom those wretched

girls would apply if they wanted to escape from the evils and horrors of their position; and the whole of my experience would fully confirm the opinion which I have expressed as to the injurious and deadly influence of Sunday drinking on that class of the community.

3254. Are they peculiarly liable to that temptation on Sunday evening, from the fact of their having leisure and their love of dress?—Very much so; a factory girl's dress is a great means of drawing her away from the right path if she comes under the influence of drink.

3255. On other evenings they are in their working dress, but on this evening their dress is very considerably superior; is it not so?—On this evening they are so dressed that they can walk with their young men, so far there is not anything wrong that I know of; but also they enter the public-houses in this dress, and being an afternoon of leisure, they have no household duties necessarily to keep them at home.

3256. And is the result, to your certain knowledge, from your experience which you have had connected with the Guardian Asylum, and the midnight meetings, and so forth, that Sunday drinking has been the means of the fall of a great number of young females?—I cannot doubt it.

3257. Do you think that the keeping open of public-houses on Sunday is good for the keepers of those houses themselves?—Most certainly not.

3258. In what way do you consider that that occupation on Sunday is hurtful to them?—The result of my very long experience, and mixing with that class of the community, visiting them, and having various connections upon matters of business to transact with them from time to time, has been that they are the most short-lived of the whole community. I do not believe that any class of our community have so short a lease of life as a publican has, and I account for that from three or four different causes: first of all, their houses are so arranged that they have actually worse domestic accommodation than many of the poorest working men enjoy; secondly, their houses are so full of people, and so badly ventilated, that the atmosphere is of the most pernicious character; and, thirdly, they keep very late hours, and having no Sundays' rest, the system wears out, and the man flies to drink as a sort of support, and under those various untoward influences by 40 years of age the life is over. Perhaps I may be permitted to give an instance which occurred within the last three months of a striking character, which, through rather travelling beyond the immediate question, yet bears upon it to some extent. Some three months ago I printed a small paper, which the working men themselves very largely circulated. There were about 17,000 or 18,000 copies, and a large number of them were distributed on the Saturday after the paper was printed. On the following day, Sunday, on leaving my church, a man followed me in the street, and said, "Mr. Jackson, I have seen the paper that you have put out against public-houses being open on Sunday, and I want to talk to you about it, for I am a publican myself." I expected, of course, that my friend was about to remonstrate with me upon an effort which he might consider to be injurious to his trade, and I said, "Well, what have you to say on the subject of that paper?" which was rather

rather a strong one against the opening of public-houses on Sunday. He said, "Well, I wish to say to you that if ever you did a good thing in your life, if you get that measure passed to have the public-houses closed on Sunday, it would be a good measure; and we, of all people, should have the greatest benefit from it." He followed me for some considerable distance on my way to my house, and, with a very emphatic gesture, he laid his hand upon my shoulder, and he said: "I wish you would permit me to press you to do what you can in this matter." It will add some further force to the poor man's appeal, when I say that, within three months subsequently, I had seen him die, and received his dying endorsement to what he had said whilst living.

3259. Have you reason to believe that this is not a solitary instance?—I am sure it is not.

3260. Are there many publicans who would be glad to close on Sunday if they were required to do so, and if it were general?—I am quite sure that a very considerable number of those who keep open their houses now on the Sunday would hail with extreme satisfaction and thankfulness any legislative measure that would make it the law of the land.

3261. If such is their opinion, why do not they close their houses at present?—From that weakness to which the former witness alluded, of not liking to offend the customers of the week-day.

3262. You have sometimes, not merely in this case to which you have alluded, but in other instances, have you not been called to attend the sick and dying beds of publicans, or of persons in public-houses, and has that thrown any light upon this question of Sunday drinking?—Very much; but I have already stated, by anticipation, that I conceive that the system as now carried out, whilst hurtful to those who resort to the houses to buy beer, is most hurtful to those who carry them on.

3263. What do you believe to be the mind of the working classes upon the question of closing the public-houses on Sunday?—I cannot have the slightest doubt that the mass of our working men, who will now be the electors of England, will be to a very large extent in favour of Sunday closing, and I do not say that from mere opinion, for it seems to have escaped the notice, or the memory of the last witness, that 10 years ago, at the time of Mr. Wilson Patten's measure, we had a large public meeting in Leeds, held in the Cloth Hall Yard, the area of which will hold 20,000 people, and which was at least half full when the measure of closing public-houses on Sunday was fully discussed. Both parties brought up all they could to vote upon the question, and the affirmative for closing was carried by a large majority. Again, four years ago, in a borough meeting held in the large Town Hall of Leeds, and crammed with men amounting to 1,400 or 1,500 people, only five hands were held up against total closing. Again, a body of working men came to me two years ago, and offered themselves to canvass amongst their work fellows for the affirmative for Sunday closing. And I have this morning received from Leeds the first instalment of the canvass of the families, from door to door, which has taken place in only a portion of one ward, but that ward is pre-eminently a working man's ward, and the result is this, that out of 1,129 families in the East Ward of Leeds, who have been called upon within the last three or

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four days, for closing entirely there were 802, against closing there were 204, and neutral, 123. And from my knowledge of working men, and my continual intercourse with them, I have not the slightest doubt that, if it depended upon a popular vote, we should carry it by five out of six, or six out of seven, throughout the whole borough of Leeds.

3264. Would the working men, in your opinion, be in favour of a partial closing or a total closing of the public houses on Sunday?—Those with whom I have been most in contact would be in favour of entire closing, and no sale whatever. Therefore I should think that the present proposed measure, which allows three and a-half hours in the day for the sale of liquors to be drunk off the premises, would be considered by working men a very liberal allowance indeed of what might be required in the way of a Sunday drinking provision.

3265. Have you any opinion to offer upon the subject of licensed gardens and concert rooms on Sunday?—I have partly already, in answer to a previous question, referred to that subject. I stated that the concerts and musical entertainments, which were largely carried on in Leeds until the last year or two, and were closed on the Sundays by one of the local Acts, were peculiarly prejudicial to the morals and welfare of the working classes, especially of the young. That now is stopped. We still, however, have gardens open on the Sunday, where drink is sold, and I do not know of any places which are so prolific of the worst of evil as those gardens are. It is notorious that young women are ruined Sunday after Sunday in those places, or on their way home from them.

3266. To what extent do you think that the Sunday excursionists require drinking accommodation?—Those who have to travel some distance would require refreshment, and, as I understand this measure, they will not be prevented from obtaining it; but a man merely strolling out of the town, and returning after his stroll, wants no such refreshment provided in any public-house. He has his home to go to, and his home is the very best place for him to go to. I know the wives of the working men of Leeds pretty well, few men know them better: for I am continually called upon to attend and address large mothers' meetings of 200 and 250 working men's wives, and I believe that they would say, "Send us our husbands home, if you please, on Sunday evening, and we will have a good supper for him, and if he wants his bottle of beer he shall have it, but keep him, if you can, sir, from the public-house."

3267. You believe, then, that the women would generally vote in favour of the entire closing of public houses on Sunday?—Yes; 99 out of 100 women would do so.

3268. And do you believe that with regard to a person who may have taken an excursion on the Sundays and returns home after 10 o'clock at night, it would be better for him to go for what he would call refreshment to a public-house, or would it be better for him to go to his own home?—To his own home, most certainly.

3269. In which way would he be most likely to be fitted for his work on Monday morning?—By going to his own home.

3270. Have you any means of knowing what is the opinion of the ministers of religion of all denominations—Catholics, Episcopalians, and Primitive

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Primitive Methodists, and those who mix most with working men, and those who mix most with the very poor, upon this subject?—I am as I have already stated, mixed up with clergymen and ministers and Roman Catholic clergymen in every benevolent institution which we have in the town, and I believe that there would be no dissentient voice on this question. They would all with one consent be in favour of the measure for closing public-houses on Sunday.

3271. You speak not only of Roman Catholics, but of all other ministers of religion in the town?—Of all ministers without any exception whatever.

3272. Do you think that there would be any exceptions amongst the Sunday-school teachers?—They would be unanimous in its favour.

3273. Do you think that there would be any exception amongst the town missionaries?—They would also be most unanimous in its favour.

3274. Do you think that that is the general opinion of the employers of labour?—Yes, certainly. I was speaking to a large employer of labour only two days ago, and he said, "You are going to London on this matter, I understand; for our sakes, as well as for the sake of the working men, do get the Sunday drinking stopped."

3275. Because it interferes so much with the regularity of industry?—Yes.

3276. Does not it set a bad example also to the young in the workshops?—Yes; it does, to a very large extent.

3277. You also can confirm, perhaps, what Mr. Lupton has told the Committee with reference to the opinion of the magistrates, many of whom you are in the constant habit of seeing?—Yes; I know personally nearly all who are magistrates for the borough of Leeds, and I should think, with a very small exception indeed, they will be most strongly in support of this measure.

3278. You have expressed your opinion as to what the women would do, if they had votes, upon this subject; with regard to the working classes generally, what do you say?—I would say that if I wanted any one question on which to raise a popular meeting in Leeds, and be sure to have the warm applaudits and approval of the working men, it would be this very question of Sunday closing. Perhaps the Committee will allow me to put it in this way: if I wanted to come forward as a candidate to represent the borough of Leeds in Parliament, I would take this question as one which would get me the popular vote.

3279. Supposing that you could call out the drunkards, may I ask what, in your opinion, would be their views upon this subject?—Some of them are so besotted with drink that they would not like to lose the opportunity of getting it any day; therefore they would not like to lose it on the Sunday; and yet a very considerable number of them would say, "Save us from ourselves, and shut them up."

3280. Having mentioned several of the very largest classes, is there any class of society in Leeds that you think are anxious for the keeping open of public-houses for consumption on Sunday?—Not any large class. There is a certain number of those who frequent them who would be opposed to the closing; but they are not to be compared, either for numbers or for importance, to those who would be found to be on the other side.

3281. *Chairman.*] While you say that the

great majority of the working classes, in your opinion, are prepared and anxious for the change proposed in this Bill, it would introduce a compulsory change in the habits of very many; would it not?—It would certainly bring about a compulsory change in the habits of very many, the same as the restriction of the hours of drinking did when the law was brought to bear which closed them to half-past 12, as at present, on Sunday; but as that has been received not only without a murmur, but with entire approval, I take it for granted that they would also receive this measure without disapproval.

3282. There would be a great many people who, at present, choose to spend a part of Sunday in visiting the public-houses or public gardens where drink is sold, and who would be compelled to give up that practice?—There would; they would be obliged, if they wanted to drink, to drink at home.

3283. Probably no one will differ from you in the object to be attained, and the desirability of putting a check upon drunkenness, but I dare say you have considered sometimes how far it is possible for the law to act upon the free-will of individuals; and do you not think that there is a possibility of going too far?—I quite think that; but when I know from my own observation and continued intercourse with the working men of Leeds, that they themselves, of all classes of the community, are the most anxious for such a measure, I cannot call compulsory, in the sense of compulsion against their will, a measure which they themselves demand.

3284. In the division of the classes by the Honourable Member for Leeds, there was one class to which, I think, you did not refer, namely, the class of those who use these places without disgracing themselves; you probably are not prepared to say that they would acquiesce readily in the shutting up of all the public-houses?—I think that a very large number of them would acquiesce very readily indeed; and that they would have beer at their homes, and drink it moderately there.

3285. You do not give us that evidence positively, I suppose?—Of course, it can only be an opinion, because it is something prospective.

3286. I suppose you have taken no direct steps to ascertain whether the persons who regularly use such places, are willing that they should be shut up?—I should suppose that the best answer to that question would be, such a return as the one which I read over, that for total closing, we find that out of 1,129, 802 were in favour, and 204 against; there you have the proportion of those who would be opposed to it; but then that was a ward which would really bring in a larger proportion of those who are frequenters of public-houses than other wards in Leeds.

3287. Taking it for granted that that proportion would be followed all over the borough, there would be some thousands of persons who would be compelled, at the will of the rest, to give up their old habits?—Yes, there would.

3288. There has been, has there not, a great increase in the church-going habits of the people of Leeds, in your recollection?—Yes, there has, to a very considerable degree, been a large extension of religious influence in the borough of Leeds.

3289. Do you think that the habits of the people have greatly improved in your recollection?—That question must be answered with some

me care. As regards a large number of the working men, they are decidedly more civilised and more intellectual in every way, and they may be considered to be superior to what they were 30 years ago, but we have a large stratum of a lower class that peculiarly want reaching by some such remedial measures as the one now before the Committee.

3290. Something very like compulsion?—Yes, something that should keep them out of the way of mischief.

3291. Mr. *Roebuck*.] You say that a large majority of the working men are in favour of this closing system?—I do.

3292. Can you explain to me why so very large a number have petitioned against it?—I am not aware that there has been any petition from Leeds against it.

3293. Are your observations confined to Leeds?—I speak of that which I know.

3294. Then your observation, as confined entirely to Leeds, is that a large majority of them are in favour of this Bill?—Yes, the whole of the evidence which I have offered to the Committee has been confined to my own knowledge of the borough of Leeds.

3295. Mr. *Knatchbull-Hugesson*.] You gave us some figures just now, do they exhaust the whole population of the ward?—No, the canvass is still going on. I had hoped to have been able this morning to have given the Committee a very much larger amount of canvass returns.

3296. Do you know the whole population of the ward at all, or approximately?—Yes; the population I should suppose to be about 14,000, and this return will cover about 5,600; 1,129 families multiplied by five.

3297. Have any large number of persons or families been canvassed, and refused to return any reply?—No; I think, from what I have known in former years, as well as what this paper shows, that this is a very fair index of what the result of a canvass would be: so many for the entire closing, so many adverse to closing, and so many who would say, "We do not care at all about it."

3298. I understood you just now, in alluding to four fatal cases which occurred in public-houses within a short time, not to state that those cases were cases of drunkenness, but cases of casual illness, through visiting which you became acquainted with the state of things in public-houses?—Yes, but two of them, I think, were cases where death had been brought on by excessive drinking.

3299. Not specially by Sunday drinking more than on other days?—Not at all, but I mention that to support what I said as to the present unwholesome character of the whole system; that they get no Sunday rest.

3300. Was that unfortunate publican who spoke to you a victim to the habits of public-houses?—I should be afraid that he had been a drinker, but I should not say that that would necessarily cause his death.

3301. Was he ill when he spoke to you?—No.

3302. In fact, this case does not bear very much upon the question of Sunday drinking?—It bears upon this, as to the feeling of the publicans themselves upon the subject. He came, and in the most earnest and emphatic way, implored me to do all I could towards assisting in such a measure as this becoming law.

3303. But he was one publican out of 1,500?—

0.69.

Yes, but I mentioned him merely as illustrative of my position.

3304. You would not take that to be the present feeling amongst public-house keepers?—No, I would not say that.

3305. Have you heard of the petition which Leeds presented against Mr. Wilson Patten's Act in 1855?—There was one got up at that time, and I think I heard of it.

3306. Are you aware that the signatures were 25,000?—No.

3307. If that great expression of public opinion took place in Leeds without your knowing it, might not some persons say that you were not cognisant of the public opinion of Leeds?—I should say that that petition by no means expressed the feeling in the borough of Leeds. I believe that a public meeting fairly convened by the mayor of the borough, to which all parties could resort, and where a decision was arrived at by a show of hands, would be far more likely to be a means of ascertaining the truth than any petitions which oftentimes, I need not say, are manufactured in various ways.

3308. At such a meeting convened for the special purpose, no doubt the population of Leeds being very various in their opinions, those who were opposed to your views with respect to this matter might not like to go and cause a disturbance?—Those who would have to fear a disturbance would be those who were in favour of closing.

3309. How so, if there was such a vast majority?—It proved to be so in the result; but that would not be known beforehand.

3310. It rather showed that although they differed in view, they did not go and create an opposition at this meeting?—Most certainly they did; at that time they sent bands of music round the town, and gave men pints of beer to come and vote against Sunday closing.

3311. If they did not attend or make any disturbance, that would rather show their good behaviour in the matter?—It showed that they had done their best to get a vote in their favour, but that they signally failed.

3312. Not if they did not attend?—But they did attend.

3313. I thought that the show of hands was almost unanimous?—It was; at the borough meeting four years ago, it was entirely in favour with the exception of five hands, but at the public meeting in favour of Mr. Wilson Patten's Bill, four years ago, it was by no means so large a proportion, but it was a large proportion.

3314. Where was it held?—In our Cloth Hall Yard, which would hold 20,000 people.

3315. You told us that you thought the working classes would be improved, if the public-houses were totally closed on Sunday?—I do quite say that.

3316. Would you carry that further; should you think that the condition of the working classes would be improved, if they were closed every day in the week?—I am not prepared to say that. I am not an advocate for closing public-houses every day in the week, but if the working people come forward and said, "Close the public-houses," I would let them have their way.

3317. You are not quite sure that you would not think it an improvement?—I would rather keep myself to practical points.

3318. With great respect to you, if a gentleman commences by stating his belief that the existence

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existence of public-houses at any time is an evil, and that their closing every day would be an advantage to the working classes, I gauge by that the value of his opinion with regard to closing on Sundays?—I scarcely understand the question; my answer was this, that Sunday being a day of rest and a day of leisure, is a day of temptation, and becomes a day of danger and hurt, which does not apply to other days in the week; it is pre-eminently the day when the working men get the harm.

3319. Because they have leisure?—Because they have nothing to do.

3320. You would not deprive the working men of that day of rest and leisure, would you?—Certainly not.

3321. You object to the gardens and amusements which have been opened in Leeds, if I understand you correctly, on account of the amount of evil that has resulted from them to the working classes?—I would not prevent a man going to gardens, but I would prevent him getting drunk at the gardens.

3322. Was it in consequence of the drink that you objected to them?—Yes; I think that drink leads to evils.

3323. How do you think that the working classes in large towns should employ their only leisure day, Sunday, besides going to church?—I very much agree with the former witness, that we ought to have spaces of open ground laid out for them, and every sort of proper accommodation provided for the working man, so that that he may spend a part of Sunday in a manner which would be conducive to his health and his enjoyment.

3324. The only thing you would restrict him from is the facilities for obtaining drink on Sunday?—I would.

3325. You would not oblige him to do any other thing which you might or might not call religious. You would leave him free to go where he pleased, except that you would debar him from going to any public house or to any musical entertainment?—I do not know whether the question would naturally follow from what I have said; if, as I presume, the question refers to the opening of museums and galleries of arts, I am not prepared to reply in the affirmative, but if it merely refers to having open places of recreations, and going out into the country, I should not be at all unwilling, nor to have rooms open where there were books, and things such as Mr. Lupton has described; in fact, such a thing has been thought of within the last week, viz., to open rooms all over the borough for this purpose, and I should be entirely in favour of that.

3326. You do not think that a restrictive measure preventing him from going to certain places of amusement ought to be followed by any measure obliging him to go to places where he would get good?—Certainly not; I do not believe in compulsory goodness.

3327. Mr. Roebuck.] Will you explain one answer which you just now made, you said that you are not ready to give an affirmation to a proposition, which should open galleries of art to the people on Sunday?—No, I am not prepared to give that answer.

3328. May I ask you on what ground you object to art being presented to their eyes?—As a minister of religion, I conceive that a man cannot spend his day better than in attending to his family, taking out his wife and children if he

wishes into the country for a walk, and for fresh air, and by attending to the ministrations of religion.

3329. Supposing that he had attended to the ministration of his religion, and that he had walked with his family in the park, and yet some hours remained to him still, might he not do well to take his children and his wife to look at the high efforts of genius, in the way of painting?—It might be so, but I do not think that is ordinarily the case, that a working man would have those hours which you speak of.

3330. But supposing he had?—I am not quite sure that I should be in favour of opening galleries, museums, and anything that would present to a working man more attraction to be away from his own family on that day.

3331. Do you fancy that looking at the high efforts of human genius, could do a man any mischief?—Certainly not.

3332. Could he improve his mind and his body better than by taking his wife and family to look at those high efforts of human genius?—The answer to that on my part would be that everything should have its own time; a working man now with us has Saturday to himself after two o'clock, and he has the whole of that afternoon to see the works of genius and high art to any extent he likes.

3333. But if they do not do harm, and are most likely to do a great deal of good, why should he not go to see them on Sunday as well as on the afternoon of Saturday?—My answer to that is, that Sunday was intended for man for another purpose.

3334. But he cannot pursue that purpose the whole of Sunday; a man cannot be praying all day?—Certainly not; I am afraid he generally does so to a very little extent. But how is a working man's Sunday to be divided? he rises as a rule about eight o'clock, and he has his breakfast; from that to nine the children have to be got off to school. At 10 o'clock, if he is a man who attends public worship, he is on his way to the chapel or the church that he frequents; he comes home soon after 12 and has his dinner; the afternoon he has for himself and his wife to walk out, and in the evening comes service again at his own chapel or church, which is over at eight, and it is then time for him to go home and have his supper and go to bed.

3335. Surely there are times when a man must have leisure, and had he not as well be in a gallery of Art as walking upon the broad flagstones of the London streets?—I cannot speak for the London streets; I speak for my native town, and I say he need not be on the flagstones at all; he may go outside the town with his wife and children.

3336. Do you think it better to go into the smoky fields near Leeds, than to go into a gallery in which he sees those high efforts of human genius?—I believe if he had a choice he would go into the fields in preference.

3337. Then why do you not leave him a choice, and give both to him, and why not let him be able if he chooses to go into those galleries?—It is not exactly the question which is before the Committee at present; but my answer is the same as before, that the working man has half the Saturday, and on that day I would open the museums, galleries of painting, and sculpture, and everything else that could possibly enlarge his mind and refine his taste, but on the Sunday I am

not prepared to advocate or even to consent in my own mind to anything whatever that should seem to be a rivalry and an opposition to that to which I believe Sunday is specially dedicated.

3338. Mr. *Yorke*.] I understand you not to be an advocate of restriction for its own sake?—Certainly not; quite the contrary.

3339. You only consider that restrictions should be resorted to when other means have been tried and have failed in producing the result which you desire?—Exactly. In this case the word restriction seems to me to be scarcely a fair word when the majority of the community are in favour of the measure.

3340. Would you prefer the word prohibition, as regards drinking in public-houses on Sunday the measure is not so much restrictive as prohibitory?—Yes, it is prohibitory of drinking on the premises.

3341. That is to say, the public-house could not be used as a club by working men in that sense on a Sunday?—No, certainly not.

3342. Do you think that all other means have been exhausted of producing the result which you wish; do you think that drunkenness is increasing in Leeds in spite of the progress of education and civilisation by other means?—No, I intended to convey the impression that the mass of our working men are improved, but that there is a substratum which is still very much below what they ought to be.

3343. To what do you attribute the improvement which has already taken place?—Mainly to education.

3344. Rather to education than to the restrictions on Sunday drinking which already exist?—I think that the restriction of closing the houses till half-past 12 has been a most valuable one, which all working men will allow; but I believe that the great uplifting has been from the vast extension of our educational system during the last 25 years.

3345. According to the statistics which have been given to the Committee to-day, on Sunday 158 persons had been found drunk at Leeds, and on Saturday 172; at any rate that shows that there is at least as much drinking on Saturday as on Sunday?—Yes, it appears so; those figures are not mine; they have been given in by a former witness.

3346. If you had to choose, bearing in mind what you have said, that your object is to stop drunkenness, would you not prefer to choose Saturday for restrictive measures rather than Sunday, inasmuch as the drinking is rather greater on Saturday than on Sunday?—I should not, and on this ground, that whatever drinking there was on Saturday, if there were no facilities for carrying it on on Sunday the working man would be again fit to go work on Monday morning.

3347. Do you agree with what the last witness has said, that there would be little or no inconvenience caused by the closing of public-houses to the unmarried portion of the labouring classes who live in lodgings, and who have no place to sit in?—I do not think there would be any inconvenience whatever, because in all the provincial towns, nearly all differing from the metropolis, our houses are self-contained houses, and on Sunday they are made so clean and decent, that I should deem them quite good enough for myself to sit down in as an ordinary rule.

3348. Do those unmarried men who lodge at 0.69.

those houses get their meals there?—Yes, they get their meals there.

3349. Are those houses licensed; do they get anything to drink with their meals?—They would have to send to the public-house for their beer.

3350. Supposing them to dine on Sunday in those houses, what would be the usual hour at which they dine?—Between 12 and one, when public-houses would be opened according to this Bill.

3351. Then this Bill would not interfere with their procuring beer at their ordinary dinner hour?—Not in the least.

3352. I suppose your ministerial duties have given you an opportunity of estimating the comparative amount of private as compared with public drunkenness?—I should think that the private drunkenness is very small in proportion to the public-house drunkenness.

3353. In your opinion would it be increased or not by this Bill?—I do not think so for the reasons which I have already assigned, that a working man would be ashamed to get drunk before his wife and children.

3354. Mr. *John Abel Smith*.] With regard to that great public meeting at Leeds to which you alluded, and which you have in your memory, the object of that meeting was in reference to Mr. Wilson Patten's Act, was it not?—Yes it was.

3355. Who was in the chair?—The mayor of the borough.

3356. And it was held in the Cloth Hall yard?—Yes, a large area, where the candidates in elections for the county are used to address the electors.

3357. How many people were there present, do you think?—Fully 10,000, but I believe nearer 12,000.

3358. Were resolutions proposed to them?—There were.

3359. And were they carried?—They were, in favour, by a large majority; no doubt whatever it was by a large majority.

3360. Was it an unqualified approval of Mr. Wilson Patten's Act?—It was.

3361. Was there any public disorder or confusion in carrying into execution the provisions of Mr. Wilson Patten's Act during the year that it existed?—None whatever in Leeds.

3362. Do you believe that there would be any public disorder or confusion, if such a Bill as that now before the Committee became law?—Not at all, inasmuch as this Bill provides that for the sale of liquor to be consumed off the premises it would allow every working man to have any quantity he liked for his own table.

3363. Mr. *Locke*.] When you say any quantity for his own table he could only get it during 3½ hours throughout the day?—He would have it all day by sending for the quantity that he wanted to last him a day.

3364. Draught beer?—Bottled beer if he liked.

3365. Supposing that it is draught beer that he likes, and supposing that he dines at six, where is he to get his beer?—I should not think that there is a working man in Leeds, who dines at six.

3366. Are there no other persons in Leeds besides working men who buy draught beer on Sunday?—Not any I should think.

3367. Then those are the only persons who dine x 2

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dine from half-past 12 to half-past two, are they not?—Our working people invariably dine between 12 and one.

3368. Then the public-houses would be shut up at half-past two until eight?—Yes.

3369. Do you think that there is no person in Leeds who would wish to buy draught beer to be consumed at his own house; not a single individual between half-past two and eight o'clock in the evening?—I would not say that, but if they have an opportunity of buying from half-past 12 to two, and again from eight to 10, I think they would have abundant opportunity for providing themselves with liquor to drink the whole day, if they were disposed so to do.

3370. But it would be very bad, would it not, if it were kept; draught beer ought to be drawn and drunk when it is quite fresh?—That is to say, it would be better drunk fresh, but there is the alternative of buying it in a bottle if you prefer it.

3371. But that is more expensive, is it not?—It is a very small charge more, which he would not feel.

3372. But supposing he does not like bottled

beer?—I cannot account for his taste in that respect, and I cannot meet the difficulty.

3373. That matter you would not enter into?—No, I cannot enter into that.

3374. You do not think that anybody might be inconvenienced?—That some would be inconvenienced who had been in the habit of attending public-houses every Sunday, I have no doubt.

3375. I am speaking of this particular class of people who eat their dinner at five o'clock, and want to drink something with it, and that beer in draught?—I can have no doubt in answering that question, that the whole requirements of our working population who want to have beer to drink with their Sunday's dinner, would be amply provided for in the measure before the Committee.

3376. You would consider the working men, but as to the others you think that it is unimportant to consider them?—None want their beer on Sunday in that way, as a rule, of the tradesman class, they have it in their houses; they buy it by the barrel.

3377. Do they buy porter and ale in that way?—Yes.

3378. That is the case at Leeds, you think?—Yes.

Mr. GEORGE WALKER, called in; and Examined.

Mr.
G. Walker.

3379. Mr. Baines.] You reside in the heart of the town of Leeds?—I do.

3380. You were formerly a working man, were you not?—Yes.

3381. Were you 14 years employed in a woollen mill as such?—I was.

3382. Have you been 18 years a boot and shoe maker?—Yes.

3383. And eight of those years an employer of labour?—Eight additional years an employer of labour.

3384. Having been before a journeyman?—Yes.

3385. Have you been 30 years a Sunday school teacher?—I have.

3386. Have you also been a local preacher?—I have.

3387. Have you been agent to the Discharged Prisoners' Aid Society?—I have.

3388. Have you been secretary to the Miners' Sick Society?—I have.

3389. Have you paid very frequent visits to sick and poor people?—Very many.

3390. Have you been connected for seven years with that working man's institution of which Mr. Lupton has been telling us?—Yes.

3391. And taking a very active part in it?—I have attended every week.

3392. Having had such opportunities of knowing their habits and characters, as a member of the working classes, will you give the Committee your opinion as to whether the working men spend much of their wages in beer?—Some working men spend none at all; others are certain to spend a sum of 1 s. to 2 s. 6 d.; others will go as far as two-thirds of their earnings, be their earnings small or great.

3393. What day in the week do they spend the most money in beer?—Saturday, decidedly.

3394. Do you think that there is any connection between Saturday and Sunday drinking?—Yes, a very close connection, in my opinion. A man goes to a public-house on Saturday, when

he receives his wages, and he becomes intoxicated, and there is not sufficient time between Saturday night at 12 and Sunday morning at 12 for him to become thoroughly sober, and the first thing he wants is a pint of new to quicken the old; that which he had got on Saturday night is dying out (and unless we have been intoxicated we cannot tell his feelings), he wants a pint to revive him.

3395. In your opinion, would it be better that he should have an opportunity of getting the new to strengthen the old, or would it be better to let the old quite die out?—In my opinion, it would be much better if he had not an opportunity of getting the new, because the old would be thoroughly out by Monday morning, and then he could go to his work, like another man.

3396. In what way does Sunday drinking injure the working man?—In the first place, he spends his money, which he has not to spare, he ought to spend it in food and clothing for himself and his wife and his children. In the second place it unfits him physically for his work on Monday. If he has been drinking on Sunday he cannot work on Monday; that I believe is impossible, or thereabouts. And in addition to that, he very often stays away from his work on the Tuesday, and loiters it away, or sits at the public-house, either supping beer, that he has managed to save money perhaps for, or begging a glass of beer anywhere he can. They call that dying off.

3397. You think it would be an advantage if there was a complete break in the opportunities of drinking or the temptation to drink by the closing of public-houses on the whole of Sunday?—I believe it would be the greatest blessing that ever came to the working men, their wives, and their families.

3398. Have you known many cases where men have been prevented from pursuing their industry during the week by their drinking on Sunday?—Yes; if I had every case recorded, I should have thousands before me now, but one

one does not note down everything one sees; but it happens every week in the year; some classes are more notorious than others. The coal-miners, for example, and the shoemakers are distinguished, and tailors are remarkable, especially in the summer time, when the trade is good, and they can earn liberal wages; when there is most work and most money, then there is most drinking and the most time-breaking on Monday and Tuesday.

3399. Do you believe that the temptation presented to the working man by the public-house being open on Sunday has a good deal to do with drunken habits?—I believe it has a very great deal to do with them.

3400. Do you think he would drink as much if he had the opportunity of taking drink to his own home, and were it taken to his own home, do you think he would drink half as much?—I should say not a quarter as much; I cannot help giving you the expression of a person that I knew well, and whom I have seen a thousand times: two young men assisted one another, and one of them had got married, and the other said to him, "Now, Matthew, thou hast got married and hast home of thy own, cannot we buy some beer to-night and take it to thy house to drink to-morrow?" Matthew said, "If thou brings any beer to my house, I will throw both thee and the beer into the street in a minute; I am going to have no drinking at my house." I believe that that would be the feeling of nine men out of every 10. They go to the public-house to get beer, but if one were to say, "Let us club together and take it home," nine out of 10 would shrink from taking it to their homes, and would say, "No; I will not let my wife see what I do, nor my children either." I think that the morality of the working man is not so far gone as to submit to a thing of that sort.

3401. You believe, then, practically, that the effect would be that the working man who is rather subject to temptation, would, by the break of Sunday, be kept sober, at least that such would be the tendency?—I believe that he would be kept sober on Sunday, and on Monday morning he would never think of going to the ale-house to get beer, because he would have got freed from the bad effects that it had upon him on the Saturday; he would have had sufficient time to have become thoroughly sober, and he would have got washed, and shaved, and dressed, and got some bread and coffee into him, which would have made him like a new man.

3402. Are there some of the public-houses in Leeds that are closed on Sunday?—Yes; there are some.

3403. Do you know whether that has been found injurious to the interest of the owners of those houses?—I should say not; for we consider those who close on Sundays are the richest of the publicans; and I know one gentleman who keeps a public-house, who announced in the public newspapers some time since that from that time his house would be closed on Sundays.

3404. You think that the closing of all the public-houses for consumption on the premises, as proposed by this Bill, would be a good to society?—I do not know all the particulars of the Bill, but this is my impression, that the Bill allows beer to be sold out during four hours on Sunday.

3405. Would it be good to society to close the public-houses entirely on Sunday for consumption?—

tion on the premises, but to leave them open three or four hours for sale to be consumed off the premises?—My opinion is that it would be a good to us, but it would be best for the drunkard and his family, and for the publican himself.

3406. In what way do the class of men who are waiting from Saturday night to Sunday noon to get into the public-houses, spend their time on Sunday forenoon?—Large numbers of them go into the fields; we should say go down to the water-side; of course, in our town, we know what is meant by that, or, we should say, "Go to Harehills, or to somewhere three or four miles out;" some do that, some lie in bed, some collect together in small groups and stand at the street corners, or near their own doors, in the streets where they reside. In this way they spend Sunday morning.

3407. Do they go to the public-houses as soon as they are opened on Sunday?—I am sorry to say they do.

3408. And sit in them and drink?—Yes, I have seen them frequently as I have been passing through the town, as I have to do every Sunday, going from school to dinner, from east to north; I have seen them frequently on Sunday at various public-houses waiting until the door was opened, in groups varying from six to a dozen, or perhaps less; but I have seen as many as 20 waiting for the public-house door to be opened.

3409. What part of the Sunday are the public-houses most frequented?—I think we should find most people there between the hours of six and 10 on Sunday evening, and considerably more in winter time than in summer time.

3410. Do the men go there for food as well as for drink, or do they generally go there for drink only?—For drink only; if a man was to say that he was going to the public-house to get something to eat in such a place as Leeds, no one would believe what he said; it is a thing which is never done by working men.

3411. Are the public-houses much frequented by females on Sunday?—My impression, and I have got that impression from very close observation, is, that there are odd ones go; but the wives of working men do not go; and I think I may add this, that the working man would not submit to sit and drink in a public-house in public company with his wife sitting by the side of him; he would decidedly object to that.

3412. What do you think is the effect upon those females who go to public-houses on Sunday?—I think it is very injurious on themselves, and the effect is seriously felt by the husband and the children.

3413. I am speaking of unmarried people, those whom you have known as going from your Sunday-school, and other Sunday-schools; what is the effect upon them?—I think it is very injurious on the young women and on the young men also, in this way; I should like a little time just to explain this; I think that this is the most dangerous part of our present system of licensed public-houses; young men, arriving at the age of 15 or 16 begin to feel then that they are something like men; and I do not object to their feeling so; and they say, "We are too big to go to school; now, Fred, let us have a walk; let us go as far as 'John of Gaunt's House,' or let us go to 'Dick Pick's Chained Bull.'" Those are places three or four miles distant from the heart of Leeds; and it is a very nice walk, of course; when they get there, what do they do?

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they say, "Let us go in and have a gill;" so they go into one of those houses and get a glass of beer each. The first time, of course, they come away as soon as they have drank it; but it is repeated, and they become bolder, and one pulls out sixpence, and says, "Bring a quart, mistress." Very well, this thing is begun and continued by our young men. And then again, I find on Sunday evening, from six o'clock to 10, thousands of young men and young women meet in Brig-gate, and Woodhouse-lane, North-street, and those places, the central streets of Leeds, and they promenade for four hours, walking up and walking down, and doing nothing else, but occasionally going up the passages to the various public-houses to get a cigar and a glass of beer, or a bottle of bitter beer, just as the case may be. I consider that this is the stepping stone to drunkenness; and it is in this way that our young men and our young women are manufactured into drunkards; because the young men are dressed up like gentlemen, and the young women are dressed up like ladies, and it is in this way that the habit is contracted, and when once the habit is contracted, we are so weak that we cannot easily break it off. Unfortunately, I find that our young men do not break it off. I think also that it injures them in another way. It destroys that forethought which ever ought to characterise young men and young women. They form the habit of spending all their money, and they go on in life upon that plan till the time comes to be married, and then they propose to be married, and get married, and they have not got as much as a sovereign, or, in many cases, not as much as will buy the ring and pay the marriage fees. What is the result? The first week they are out of work they have to apply to the parish board for relief. This, I consider, grows out of the habit which has been formed of spending their money on Sunday in beer and cigars. Working men have got no eightpences to spare for such things.

3414. I do not want to have your opinion upon the sad effects of drunkenness generally, because there is no difference of opinion at all upon that subject, but what I want especially is that you should confine yourself to what belongs to Sunday drinking; do you consider that those dangers are chiefly incurred by Sunday evening drinking?—I do indeed; it is the beginning which injured them, because if they had not those houses open on Sunday they would not begin; they would not have an opportunity.

3415. Do you think there is any need on behalf of the working classes, for the public-houses to be opened for the consumption of beer on Sunday at all?—I think not the slightest.

3416. When people go into the country, as you say some of them do, how do they obtain refreshment?—There are three ways. Some take a little bread in their pockets and eat it, and drink at a spring if they are going such a distance as keeps them away from home at tea-time. Others will go to a public-house and get refreshments, and others go into a friend's house, or a stranger's house, and say, "Mistress, I wish you would make us a cup of tea" for which they pay, and I know this is done frequently. I would not say that as many go to a private house as go to a public-house, but the majority return home again to supper.

3417. Do they need, when they return home, to go to places of refreshment and to public-

houses for the purpose of obtaining that refreshment after their return?—When a man has been in the country four miles with his wife, and in coming home after the walk, and they feel tired, and want something to eat, they do not go to a public-house. But this is frequently done: the husband will say, "Now, lass, go and get supper ready, and I will be home directly; I will just call and have one pint or one glass," as the case may be, and he goes into a public-house, and I have known frequent instances where that single pint or that single glass has led to his being drunk that night and absent from his work on Monday. He had no idea of getting drunk at all when he went there, but it is this way. He goes in, and three half-pence slips through his fingers for a glass of beer; there is company there, and there is conversation about something interesting, and another three half-pence slips through, whereas if he had a shilling to pay for it at first he would not have begun it at all; the mountain of money would have deterred him.

3418. Is there much beer taken out from public-houses to be consumed in men's houses for Sunday's dinner and supper?—There is some; I should not say a large quantity. If I take the locality where I lived for 20 years; I should not rate them at more than one family in a dozen that send for beer in that way on Sunday.

3419. You have been a working man, and you know what working men are as well as what employers are; do you think that the closing of drinking-houses entirely for consumption on the premises on Sunday would be attended with hardship to the working men or with public inconvenience?—I cannot see that it would be a hardship to any working man, and I cannot see the slightest inconvenience to arise to anybody. I do not see how it can, and, being a working man myself, I know the wants of working men, and I have had a family myself, the same as other working men.

3420. Do you remember the time when the drinking-houses were open the whole of Sunday morning?—I do.

3421. Do you think that any hardship was suffered by the working men, or any inconvenience was caused to the community, by closing them during the Sunday forenoon?—I think there was no hardship whatever, but I think great good was done. And I will add here that I never heard to my knowledge one man complain of them being closed on the Sunday morning; but I have seen a marked difference myself in the appearance of the town streets on a Sunday morning, the number of drunken men, unwashed and unshaved, strolling about. As I am going through the town on a Sunday morning, I scarcely ever meet such a thing as a drunken man, that is, supposing it to be about nine o'clock on a Sunday morning. I do not know when I did meet a drunken man. I see all the public-house door-sills clean washed, and the streets as quiet as you would desire them to be.

3422. From your experience among the working men of Leeds, does Sunday drinking interfere with their work during the other days in the week?—Very seriously. If a man could be tided over Sunday without getting drunk, that is a sure proof that he will be at his work on Monday morning. I have known instances, and I believe many more could be given, where men have been kept from the public-house on a Sunday, and have been at their work on the Monday, but if they have

have had access to the public-house on Sunday, they invariably broke their time on two days in the week.

3423. You have been a Sunday-school teacher for many years; can you say what effect Sunday drinking has upon the youths of the town?—If I am allowed to form my opinion more particularly of those that have grown up under my own eye, and there is a large number who have grown up under my own eye, I have known them born and grown to men of 30 years of age, upon whom it has had a very injurious effect indeed; they have left the school, and have become habitual drunkards; this I see every day of my life.

3424. Why is it that Sunday offers greater facilities than any other day for drinking?—I know no reason but this; they have no employment, they are dressed up, and they want to fill up their leisure time; therefore they go to a beer-house, as I think I have stated before.

3425. You have heard what the Rev. Mr. Jackson has said with regard to the effect of Sunday drinking upon females; would your knowledge of the population of Leeds bear out what he has said as to many young women owing their fall from virtue to the habit of Sunday drinking?—I should attribute more to that than to any other cause, but I think I should agree to this, that it is not so bad now as it was when we used to have music in our public-houses on Sundays; there is not the same attraction.

3426. You are connected with the Working Men's Institute; what number of working men have you in that institute?—The numbers vary, but I would say that, at the lowest, from 300 to 600 daily; that is to say, from 300 to 600 will go in and out of it daily.

3427. What effect do you think those institutions have upon working men?—My impression is, that the effect is good morally, socially, and intellectually; and I hope it does them good religiously, but that is another point.

3428. Do you sell any liquor at your Working Men's Institute on Sunday?—No, we give them plenty of cold water.

3429. Do you find many drunken men come to your institute?—Not many. I have known such cases, and I will add, happily for the man, he has become a sober man afterwards.

3430. Do you find that working men can meet together and spend a social evening without beer?—The working men do that every day at the Leeds Working Men's Institute.

3431. By hundreds?—Yes, by hundreds. I have known 600 in that place, or, perhaps, 700 or 800 spend the whole evening without any beer at all.

3432. Have you ever known the working men in Leeds agitate against Sunday closing?—No, I have not; but I noticed this sometime since; and I believe it would be just when the present Bill was introduced that the publicans and beer-house keepers put on the walls a flaming placard calling upon the working men to bestir themselves; telling them that their liberties were in danger, and to be on their guard, and to meet in masses to oppose it. I have heard of no agitation past that.

3433. Do you remember the public meeting that was held in the Town Hall of Leeds four years ago?—I remember that meeting, and I was there that night.

3434. Is your opinion the same as that which Mr. Jackson has expressed, that there was a very

large majority for closing?—The majority was very large. There were very few that opposed the motion.

3435. Was it five or six, or something like that, who held up their hands against the motion for closing?—I cannot, at present, give the number, but there were very few. It was very remarkable. And I remember the meeting at the Cloth Hall yard also 10 years ago.

3436. Do you agree with Mr. Jackson that there was a large majority at the meeting in favour of closing public-houses on Sunday?—There were; and I can say, further, that I know there were publicans there, because I stood beside some listening to the various speakers.

3437. Did you ever know a public meeting summoned with greater publicity, and greater knowledge on the part of the whole community, of what the object of the meeting was than that meeting?—The whole town knew it.

3438. And there was a decided majority in favour of closing?—There was.

3439. Do you apprehend that there would be any discontent, or agitation, or disturbance if the public-houses were closed on Sunday in the manner proposed by this Bill?—I apprehend no disturbances. Give us cheap bread, and the working people will not quarrel over the beer on Sunday, I am certain.

3440. Mr. *Locke*.] You say that the reason why people get drunk on Sunday is, that they have no employment?—Yes; one reason.

3441. Do you object to their dressing themselves and walking up and down the street?—I do not object to them dressing themselves, nor do I object to them walking up and down the street.

3442. You think that if there were no public-houses it would be a very reasonable thing for them to do?—Yes; I believe that they would walk up and down the streets just the same.

3443. Do not you think that it would be better if they had some more rational amusement than merely walking up and down the streets on Sunday?—I wish they had.

3444. What would you suggest as a mode of counterbalancing the influence of public-houses on the Sunday for the working classes?—Perhaps you will allow me to say this: I think walking up and down the public thoroughfares is better than sitting in a noisey smokey public-house. As to what I would suggest as recreation, I have my own views. I should certainly open, if it could be open, such a place as our Philosophical Hall. I would open, as I suppose we soon shall have, our public library. I would open, if it was closed, our Woodhouse Moor, which is a large open common near the town; and I would have other places something like that; because, whether it favours the Bill or not, I cannot help saying this, that people must have something for Sunday. I cannot see that our working men, men that are accustomed to activity six days in the week, can sit in arm chair moping over a fire all day on Sunday. We must have something for them to do; but there are a hundred things that would be better than sitting in a public-house.

3445. What amusements are there at the Moor that you speak of?—Nothing, but walking about and enjoying the purest air that Heaven can send us.

3446. Would you go a step further than pure air and walking about?—As an individual; yes, I would.

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3447. What

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3447. What would you suggest?—If my friends get to know all I say, I know they will find fault with me. I should not object to a band of music myself; not as an individual, but I should willingly submit to the majority, and if they said we had better not have a band, I should not urge it.

3448. But you think that a band of music would be an advantage?—I think there is nothing so sweet and so heavenly on Woodhouse Moor as a band of music.

3449. Do not you think that the introduction of things of that sort would lead very much indeed to the diminution of drinking on Sunday, because, if a man is out on Woodhouse Moor listening to a band of music, he could not be at the same time at a public-house drinking gin?—If the drinking custom remains as it is, it would be a tenfold evil to bring people on to Woodhouse Moor and a band of music, because there is the Manor House there, and young men and young women would assemble there, and they would be always thirsty, and always running in.

3450. That is so at Leeds, is it?—I would like to say, for any gentleman's information, that it so in London. I witnessed that yesterday; a number of young men and young women had been not more than a quarter of an hour, or from that to half-an-hour, from leaving the pier head on the Gravesend boat than they began getting their bottles of bitter beer, at 7d. per bottle, and swallowing it in two or three minutes; both young men and young women. I saw myself scores of bottles drunk in that way yesterday.

3451. That was at Gravesend, was it?—No; it was between London Bridge and Gravesend that it was drunk. I took the boat yesterday to go to Gravesend. I wanted to be where there was, as I thought, some pure air. I did not much like this smoky London. I had my eyes open, as I have endeavoured to have through life. You referred to its being the practice of Leeds. I merely wish to remind you that it is the practice of London, so that human nature is about the same; and if you give facilities to young men and young women they will indulge in these evils.

3452. They did not get drunk, I hope?—There were persons drunk before we reached Gravesend.

3453. Were they drinking on board the boat?—Yes.

3454. Did they take it with them?—No, they bought it; they went down into the cabin and brought it up; I suppose they got it there; they bought it from the steward.

3455. You went on an excursion yesterday to Gravesend?—Yes.

3456. Then, you have no objection to excursions, of course, if you indulge in them yourself?—I do not object to people going there.

3457. Only when they commit excess?—I wish to give this as my opinion, that it is an evil to young men and young women to be allowed the privilege of drinking on Sunday in public-houses, and that was a public-house for them for the occasion; but let them go to Gravesend without beer, then there is no harm, at least to me; I do not think it wrong.

3458. What refreshment did you take yourself yesterday when you went on an excursion to Gravesend?—I will tell you honestly; I got up at six in the morning, and I went to Chelsea Hospital to see an uncle of mine, who happens to be there; I was told that I could not see him until

one o'clock; I said to a College man, where can I have my breakfast this morning; he pointed to a coffee shop, and I went in, and called for a cup of coffee and some bread and butter; the man brought it; I gave him 2s. 6d., and he gave me 2s. 3½d. back out of it; I paid him all he charged, and I suppose it was honest; I then had a walk to London Bridge, and took the boat, and I got my dinner after I arrived at Gravesend.

3459. What hour might you have arrived at Gravesend?—Say one o'clock; within a few minutes either way.

3460. Where did you dine then?—Three or four doors above the pier; I do not know the name of the house; there was a boy standing at the door, and he said, "We have beef and mutton, beef and mutton;" so I knew that beef and mutton would suit me as well as anything.

3461. You had something to drink, I suppose?—Yes; the good lady brought me a glass of cold water, which I drank freely.

3462. That had no bad effect upon your head?—No, not at all.

3463. Did you take nothing but cold water?—I did not.

3464. Is that your habit?—No; I sometimes occasionally take beer, for this reason; we used to sing, as lads, "Johnny Brew'd a Peck of Malt," but it happens that Mary brews a peck of malt with me, so that I occasionally get a glass of beer that Mary brews.

3465. Supposing a person has not a Mary belonging to him, and he is thirsty, as you might be, what is to become of him?—I am very happy to say there is no man that lives in Leeds but that either has a Mary, or he can have a Mary.

3466. But I suppose it is not every man in Leeds who is able to keep a Mary?—That man is happily provided for in this way; he goes into lodgings; that is his home; his food is provided for him on Saturday night in 99 cases out of 100, and it is carved out for each day in the week, and that is as much his home as my house is mine with Mary; it makes no difference.

3467. But who brews this man's beer?—The mistress that he lodges with will brew it if he wants it; or, if not, she will fetch him a gill, or, if not, when she goes to market she can bring half-a-dozen gill bottles of Bass's, or Guinness's, or Bentley's porter, or anybody's he likes; we have as great a variety at Leeds as anywhere.

3468. Is not that rather a roundabout way of getting it?—I think it is the most convenient way of getting it; it is ready to your hand, and you have nothing to do but draw the cork and sup it.

3469. But that bottled beer is effervescing, is it not?—No, it is not.

3470. Then is not bottled beer that is carried about in that way, and that is not effervescing, very nasty stuff?—My impression is that beer is sold in thousands upon thousands of bottles every week; the people have it in their own homes.

3471. But you would not prefer it in that state to when it is drawn fresh from the cask?—I prefer it best when it has been brewed about a week out of our little tub.

3472. And put into a bottle and carried about by Mary?—Yes, I like it all the better if she brews it, and carries it about, or fetches it out of the cellar.

3473. I am speaking of those cases where there is only a Sarah, perhaps, where the man lodges?—It is in this way: In Leeds there are, I think,

think, many houses where they sell bottled beer, which I know has been bottled by themselves, and you can get half-a-dozen bottles. I have done it myself and taken them home and used them when we have wanted them.

3474. You do not wish to prevent people from drinking beer on Sunday, provided they do not drink it in a public-house, or provided it is bottled?—I should not object to a man going for a gill of beer or sending for it, but I think he would be better without it on Sunday.

3475. Why should he not eat his dinner on Sunday and drink his beer in the same way as he would on Monday, seeing he has more time to do it comfortably?—I say I do not object to it.

3476. You have spoken of the institute that you have at Leeds; is it a working man's club?—No, it is an institute open where working men can go in at nine in the morning and remain until 10 at night; say, from nine till six in the evening, there is nothing going on, but the newspapers. Any man that is out of work can go there and look at the advertisements. In the evening there is the reading room, which has all the papers in it, and there is room set apart for chess and draughts; nothing else; and besides that there is a large room where we have various kinds of musical entertainments and lectures, and sometimes discussions.

3477. What refreshments are there there?—There is nothing, but cold water, unless you want tea and coffee, for which you have to pay; you can have that if you choose, but nothing besides that.

3478. Tea and coffee, and bread and butter, I suppose?—Yes, they will boil you an egg, or if you take a steak they will fry it for you.

3479. Can you do that during the whole day?—Yes, the whole day; people can have anything to eat during the day.

3480. You have all descriptions of refreshment there with the exception of fermented liquors?—Yes.

3481. And those are not allowed?—No.

3482. They have ginger-beer, I suppose?—No.

3483. Nor soda-water?—No, nothing but water or tea and coffee.

3484. You have not introduced chocolate yet?—No, it is too greasy for us.

3485. How many subscribers are there?—A penny a-week constitutes a member; if you take a penny ticket you can go in as often as you like during six days. Sometimes the number will be as low as 500, and I have known them as high as 2,000.

3486. Is it open on Sunday?—It is open on Sunday afternoons and Sunday evenings; but the men do not frequent it much on Sunday.

3487. Then it has not the effect of attracting them entirely so as to prevent their going to public-houses?—No; if the workmen who belong to the institute are in the habit of going to public-houses, it appears not, but I do not know that they are; some of them may be, but I am not aware that they are.

3488. *Chairman.*] Though you are a master now, you have been a working-man yourself?—Yes, I have.

3489. And whilst you continue to follow your trade, you occupy yourself in doing what good you can?—I do.

3490. You will not think that I am asking the question offensively, but I suppose naturally you

meet with a good deal of thanks and respect for the exertions which you make for the good of others?—Yes, I should say so.

3491. Do not you think there are some who, whilst they own that you are doing a great deal of good, sometimes look upon you as going rather far; are there not many working men who do not support you while they show you all respect?—Some men would say that I am going too far in advocating this Bill, and they would say let things be as they have been; but I should find a large number who would not hold up their hands whether it were to close them or to keep them open. They are the indifferent class; and I find another class, which I think would be the majority who would say, "Close them according to the present Bill." I have not neglected to listen to what people have said about this. I have talked to, I should say, hundreds of individuals in passing as I come across them daily, coming into my shop, and so on.

3492. You must be aware that there are a great many, say, of the working classes, who do not interfere with you, who let you go on with your movement in support of such a change as this, but, at the same time, you know that they do not agree with you?—Yes, there are many who would not agree with me, though they would not oppose it.

3493. You are putting in operation many good plans for reforming your neighbours, but is it not the case that you have not sufficient faith in those means, but you want to get the law at your back?—All the means that I have seen tried hitherto have been inadequate; I have seen them tried now, say, for 30 years; I have been trying for 30 years, still I find that they have not accomplished that which we have desired; but that new drunkards are continually being manufactured from our boys and our girls, and to make a man a drunkard is to make him one of the most expensive creatures that there is almost in the kingdom.

3494. We are, of course, not disputing about the desirability of putting a stop to intemperance, but besides all the voluntary means which you are putting in force, you now want to put the screw on, and to compel people not to get drunk by preventing them having the means?—Yes; I think it is the best thing that can be done to put the screw on.

3495. Would you also put the screw on many people who do not want to get drunk, but want to indulge themselves in a moderate way?—Here I see a difficulty, and I know that that difficulty exists; I know that there are some men who go to a public-house, and who never get drunk; they go on Sunday night, say, and have, say, two glasses or three glasses of beer, and they do not get drunk, but they come to their work on Monday morning; I have known many instances of that sort, and that there are many such I cannot possibly deny, and this class I cannot complain of; but whilst they are doing that, am I sure that they will continue to do so? Is it not likely that they will slide from this moderation to intemperance, and become habitual drunkards?

3496. The majority of the people who use public-houses do not get drunk, do they?—The majority do not get drunk, that is to say, the majority of the population do not get drunk.

3497. So that you are advocating a severe restraint, and a compulsory change in the habits of a great number of persons in order to restrain a few who cannot restrain themselves?—Yes; but the

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the class that we should deprive of this social enjoyment, that enjoy it rationally, I think, would not be more than one in 10 of the whole of the male population.

3498. But still the principle being generally that a man may do as he likes, so that he does not interfere with his neighbour's rights and property, you are proposing to prevent their doing as they like, not for their own benefit, but to prevent others doing themselves harm?—Yes; I think it is good for a few to make sacrifices for the good of the whole; this principle must be acted upon in society.

3499. Quite so; that is a Christian duty; but you are going to compel them to make sacrifices?—Yes; I find that the law often steps in and compels us to do things which we should not otherwise do; but, then, when the law says you must do it we soon learn that it is for the good of the whole, and we learn to be obedient and do not complain.

3500. The law frequently tells a man that he must not do something or other that would be for the injury of others that would interfere with other persons liberty and property, but you want, do you not, to prevent a man doing something that hurts nobody else in order that you may save some third party doing himself harm?—Yes; I certainly should advocate that the one in 10, supposing there to be one in 10, should be deprived of that privilege for the good of the whole, and I think that would be equitable and according to the laws of our country, for I find myself that liberty is that which the law allows and nothing more; because if I wish to keep a dog you say to me you shall not do so unless you send us up here 5 s. every year. So far as my experience and observation goes, we must, some of us, feel inconveniences by the working of every law.

3501. That is not quite a sequence, is it; you say to a man you shall not keep a dog unless you pay 5 s., and you say to a man you shall not drink a glass of beer unless you pay for it, but it would be a different thing to say you shall not keep a dog at all?—Yes, it would, certainly; but I think that few would be very glad to make a sacrifice if you would only let them free.

3502. Mr. Roebuck.] I gather from you that the leisure of Sunday conduces in a great measure to the mischief which happens on that day?—Yes.

3503. And you, in order to prevent mischief, want in some way a law to interfere with and prevent a man indulging in certain things which he wishes to indulge in, such as going into a public house?—Yes.

3504–5. Do not you think that before the law does that it ought to take every precaution to make sure that it has employed all the means in the power of the law without that coercion?—I think myself that the law when it was altered to close the houses on the Sunday mornings was a step in the right direction; and having found that it works so admirably, and everybody approves of it, even the drunkard himself, would it not be wise in us to take another step in the same direction.

3506. The way I put it is this: Would you coerce a man in that way before you have decided that you have taken all the means in your power without appealing to that coercion?—I would at present coerce the man.

3507. But would you coerce the man without

having ascertained that you have taken all the means in your power to obtain the same end without coercion?—I think we have tried.

3508. You have just now said that there ought to be recreation for the working men; has the law given the working man all the means in the power of the law to employ those hours innocently and happily which they have at their disposal on Sunday?—The law has not given us that; but does not the law give us what necessity requires? As soon as we discover the necessity for a thing, then the law steps in and supplies that need; but so long as the public-houses provide that place of amusement and recreation where men can spend those leisure hours, there is no need for the law to step in; it is acting now.

3509. I do not think you have quite seized my proposition. You say that mischief arises from want of employment, and I ask you if the law ought to prevent a man going into a public-house without ever having ascertained that it has employed all other means possible for his enjoyment of those hours of recreation. For example, has the law permitted our exhibitions of art to be at the disposal of the working men on Sunday?—No.

3510. You say that he has hours which he is very prone to employ in a pot-house; would not the law do well, before it resorted to coercion, to give him every possible facility for employing those hours in an innocent, rational, and proper way?—It would be a good if the law would give it them at once; but as the law has not done that, and seeing that the other is so great an evil, it had better step in and do the other thing, and then the law will provide the second thing.

3511. Put yourself in the position of the Legislature; do not you think it the duty of the Legislature, before it takes those coercive measures, to adopt all other means in its power that are not coercive; would you begin by the harsher means before having tried the milder and better plan?—No; I have never myself adopted harsh means first; I have generally stroked the head, and spoken kindly to a boy first.

3512. That is what I want you to do now for the working man; stroke his head and show him beautiful pictures, and allow him to go in and see works of art; would you object to that?—No, I would not.

3513. Therein you differ, do you not, from the preceding witness?—The Rev. Mr. Jackson and I may not agree upon all points; we do not come here to agree upon everything.

3514. Mr. Knatchbull-Hugessen.] I think you said, did you not, that one in 10 of the population of Leeds might be taken as using those public-houses on Sunday for drinking on the premises?—I hardly remember saying that.

3515. Do not you think that a very considerable number do use them; I think you said about ten per cent.?—I think I said, speaking of the class of men who went to get a pint of beer on Sunday, but who did not get drunk, that those might be one in ten of the men.

3516. Do not you agree with the statement of one of the previous witnesses who said that five per cent. of the whole population might be taken as drinking in public-houses on Sunday?—That might be, but I alluded only to one class of drinking men in public-houses.

3517. Supposing that to be correct with regard to this public-house drinking, of which we have heard so much, the whole population of Leeds being

being something over 200,000, and this meeting, which you alluded to, being stated to be attended by 10,000 persons, of whom the majority were in favour of this Bill, why should we take the expression of opinion of that 10,000 being five per cent. of the population of Leeds more than the ten per cent. who gave a practical expression of their adherence to the present law by attending those public-houses?—For this reason, if I had been opposed to the Bill when the mayor had called the meeting, I should have felt it my duty to go there and oppose it; and if I did not go, my absence would approve of the decision of that meeting. I had an opportunity of going; all was done that could be done to warn me of what was going to be done, and then if I am absent the fault is with me. As we say, “Silence gives consent.”

3518. Do you mean to say, that if I do not like either of two candidates at an election, and I do not vote for either, because I do not care about them, that, therefore, I approve of the man who succeeds?—I should say you did not care, but that you believed that the one was as good as the other.

3519. Does it not come to this, that the expression of a meeting of that size in the town of Leeds, could not be taken as signifying the real feeling of the whole population of Leeds upon such a subject as this?—We do take it so in all matters for anything I know. I do not know any other mode of testing the feelings, or of understanding the opinions of men but that.

3520. It is possible that a great number of people did think that it was very unlikely that any further restriction would be imposed, and, therefore, they would not trouble themselves to go and oppose it?—No, I should not think so.

3521. You said that you thought that this restriction was best for the publicans themselves. Do not you think it wise, so far as the publicans’

interest in the matter is concerned, to leave them to decide for themselves?—I think it would be best for them for the law makers to say, “You shall rest one day in seven.” For example, a sickly man may be a physician, but I am told they always send for another physician; they will not treat themselves; and I think it is so with publicans to a very large extent.

3522. You think that they would ask the opinion of another publican; but do you think that they would be content with your expression of opinion?—They will not legislate to close the houses themselves, but if the law makers step in and say you shall close them, they will acquiesce, and there will be nothing more about it.

3523. That shows, does it not, that they are a respectable body of men, who obey the law?—I am not disposed to find fault with them myself.

3524. Do not you think that if it was really for their interest, that great organisation which we have heard of would be in favour of this Bill instead of against it?—Yes, if we could get every man to be of one mind, but I find that we cannot. You know there is disunion in all trades.

3525. Then the majority, I suppose, carry the sway?—Yes, but you cannot compel the others to close. That has been tried hundreds of times in the case of early closing. Some will keep open untill 10.

3526. Do not you think that if this restriction was carried into effect a great number of those who are now apathetic in the town of Leeds would find themselves thoroughly aroused to action?—If this Bill were to become law, I believe that in a month from now there would be no more disturbance in Leeds than there has been for the last twelve months. It would pass over, and we should know nothing at all about it, any further than that we should have fewer cases of drunkenness. That is my opinion of Leeds.

Mr.
G. Walker.
11 May
1868.

Wednesday, 13th May 1868.

MEMBERS PRESENT:

Mr. Baines.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Horsfall.

Mr. Knatchbull-Hugessen
Mr. Locke.
Mr. Malcolm.
Mr. John Abel Smith.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

MR. SAMUEL GREENWOOD JOWETT, called in; and Examined.

Mr.
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3527. Mr. John Abel Smith.] ARE you Superintendent of the Town Mission, at Bradford, in Yorkshire?—Yes; I am.

3528. Formerly, were you in the Town and City Missions of Halifax and Manchester?—Yes.

3529. Were you originally a boiler-maker by trade?—Yes; I was.

3530. At Manchester and at Stockport?—Yes; and at Hull, and also at Bradford.

3531. You are thoroughly practically acquainted, are you not, with working men and their habits and dispositions, and wishes in those towns?—I think I am to a great extent.

3532. Have you seen the Bill which has been introduced into Parliament, and referred to this Committee?—Yes; I know the provisions of it.

3533. Are you in favour of further restrictions on the Sunday drinking of beer in England?—I am.

3534. For what reason?—Because I consider it detrimental to the poorer classes; more especially detrimental to the morality and to the families of the people.

3535. Is it not true that the Sunday drinking entails on others than the drinkers themselves the loss of their time on the Monday?—It does to a great extent.

3536. Will you explain that to the Committee?—Because in many trades, such as boiler-makers, smiths, brick setters, and in some cases engine-fitters and moulders, those who are off drinking on Sunday and Monday hinder those who are their mates or partners in work for Monday, and very often for Tuesday. I have had sorrowful experience of that myself, and I know that there are thousands of cases of that kind.

3537. Are you in trade at this moment?—No.

3538. Chairman.] Have you no occupation beyond assisting in the Mission?—No; I have been 11 years in connection with Town and City Missions.

3539. In fact, as a missionary?—Yes.

3540. Mr. John Abel Smith.] Do women drink much now at Bradford?—Not to a very great extent, as far as my experience goes.

3541. Do you think that they drink more than they used to do?—I could hardly say; I have not taken notice of that for many years.

3542. Do you think that there is more drinking among young persons than formerly?—There are a great many young persons found in public-houses on Sunday evenings at Bradford.

3543. Is that one of your objections to public-houses being open on Sunday evening?—Yes, that is one great objection.

3544. Last winter you took notes, did you not, of what occurred in various public-houses at various times?—I took notes of the number I found in them, and a few observations besides.

3545. Will you state what numbers you found in them?—I visited the public-houses and beer-houses in Bradford during the last winter, from November to January, from seven to ten o'clock on Sunday evenings, and I found in 137 houses 2,596 persons. We have, according to the returns of the chief constable, 443 beer-houses and public-houses in Bradford; so that, in the same proportion, there would be in Bradford about 8,394 persons in public-houses at one given time.

3546. Out of a population of what?—130,000.

3547. You do not mean to say that you remained there during the whole of those three hours?—No; I mean between the hours of seven and ten. We usually set off about quarter to seven, and commenced our visiting by seven o'clock.

3548. Was there music and dancing, or anything of that sort, in those public-houses?—I saw no dancing, but very often a fiddle and a piano were going.

3549. Were they singing sacred music or songs?—No; I never heard much sacred music singing. In one house, in the district of Bowling, there were 24 persons in one room, mostly young men, and one was singing, accompanied by a fiddle and a piano, one of the most obscene and filthy songs it is possible to imagine. I believe the song has not been printed. I have tried to get it, in order that the Committee might have a copy of it, but I cannot obtain it.

3550. Were there a good many prostitutes amongst those who attended the house?—Not in that case; but generally in the public-houses we find them, and I have found six, seven, and even nine in one house, on a Sabbath evening.

3551. Chairman.] Persons who appeared to be or whom you judged to be prostitutes?—Yes; there was no mistake about them, because their dress and manners showed it fully.

3552. Mr. John Abel Smith.] Generally speaking, in Bradford do you believe that the feeling of the more respectable working men is in favour of further restriction on Sunday drinking?—I do.

3553. Have

3553. Have you had any public meetings at Bradford on the subject of Sunday closing?—We had a public meeting about the 16th or 18th March, in St. George's Hall, which holds 4,000 people: it was not full, but there would be about 500 persons present, chiefly of the working classes, and resolutions were past in favour, not merely of the Bill which has been introduced, but of closing for the whole of the day. I was asked to say a few words at the meeting, and I jestingly put it to the audience whether there were half-a-dozen men in the meeting who would like to have their houses next door to a public-house, and if there were I hoped that they would hold up their hands; that resulted in the hand being held up, and a voice from the audience said, "He lives in one."

3554. Who took the chair?—Mr. Alderman Mark Dawson, in the unavoidable absence of the Mayor. It was a town's meeting called by the Mayor.

3555. The Mayor meant to have taken the chair, did he not?—Yes, he did; but he had a prior engagement for the evening to which the meeting was altered.

3556. Was he understood to be favourable to the object of the meeting?—There was no remark made about that at the meeting, I think.

3557. Did his substitute, Alderman Mark Dawson, say anything in favour of the object of the meeting?—He said that he had not made up his mind either way, and so he thought he was a safe man to take the position. He was not decided about it.

3558. But there was hardly any opposition, was there, at that meeting?—There was some little opposition. There were two or three speakers who advanced arguments for things remaining as they were, but by way of vote there were only about 20 or 30 hands held up in the meeting against the resolution proposed in favour of closing for the whole day.

3559. I suppose, like a great many other towns in the north, the majority would be in favour of total closing on Sunday, would they not?—That is the case in Bradford.

3560. If all are in favour of total closing you would accept the Bill which has been referred to this Committee, merely as an instalment and the best you could get?—We should be very glad of that if we can get nothing else, but, I believe, we are prepared to go a little further in Bradford, than all that I have seen and heard.

3561. But you would consider this Bill a great boon, would you not?—Yes, it would be one.

3562. I presume your past experience and your daily habits make you personally acquainted with the general feeling in the manufacturing districts?—Yes.

3563. Do you believe that the provinces are very much prepared for a greater restriction on the drinking of beer at public-houses on Sunday?—Yes, I do. I was in Manchester a fortnight ago attending a meeting of the Manchester missionaries; they have 88 city missionaries at Manchester, and I took the opportunity of putting the question to them, as to how the people of the poorer classes in their district felt about the matter, and they said that they were nearly all in favour of this Sunday Closing Bill or of a total Sunday Closing Bill.

3564. If such a Bill as that referred to the Committee were passed, should you anticipate anything like disorder or confusion or public

resistance?—No, not at all; I believe that the respectable working classes are quite prepared for this, and even for the whole of the day; they want to save their children from ruin and distress.

3565. There are, I suppose, in Bradford, as there are in most towns, a certain number of roughs?—Yes, there are.

3566. Would they make a disturbance, do you think?—No, I should think not.

3567. What would the respectable men do if the roughs tried to make a disturbance?—I can hardly tell what they would do; I suppose they would assist all they could in getting things straight again as regards mob law.

3568. What I mean by asking the question is, are the working men of Bradford zealous enough to lend themselves to preserve quiet, if there was any inclination to create a disturbance?—I think there is no doubt about it, from the fact of the meetings that we have had. There has been a series of lectures upon this subject in Bradford, given by Dr. Campbell, and Dr. Russell, and other ministers in the town, and I think that the minds of the people are thoroughly permeated with this subject, and they are all fully acquainted with it in Bradford.

3569. Have you had any canvass in the place?—No, I do not know that there has been. The fact is, the Committee for the Permissive Bill have been canvassing the town, just to get an idea who was in favour of it, and it would have thrown them into confusion had they commenced to canvass on the Sunday closing question, or I believe it would have been done. One of our missionaries, I may say, tells me in a letter, "In the course of a week's visitation," he says, "I met with 120 men, to whom I put the following question: Are you in favour of Sunday closing? And 101 of those men answered in the affirmative; those men are working men, many of them slaves to the drink, and the majority of them Sunday drinkers." That is the only canvass that I am aware of, any further than the general statement of the members of the Alliance Committee, who have told me that there had been a misunderstanding on the subject, the idea being that it was for the Sunday Closing Bill, but when it is explained to them, some of them said that they would have signed it if it had been for Sunday closing, but they would not sign for the Permissive Bill; and that shows, from their general feeling, that had it been for Sunday closing, I have no doubt the result would have been in Bradford, as it is in other towns, six or eight to one in favour of it.

3570. What I understand to be the summary of your evidence is this, that you find that the existing state of the law gives a room or licence for indulgence in this temptation which opposes or neutralises the efforts made for the moral and religious improvement of the people?—That is so.

3571. You distinctly believe that you are speaking the feeling of Bradford as a whole when you say that the town would be in favour of further restriction on Sunday drinking?—I really do believe that I am speaking the feeling of an overwhelming majority of the people of Bradford.

3572. And further, although it does not quite come up to your own wishes and idea of what is required, you wish success to the Bill which has been referred to this Committee, and approve of its provisions?—Yes, as far as it goes, I do.

3573. Mr. Baines.] Do you believe that the magistrates

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magistrates of the borough would generally approve of this Bill?—I believe that they would, but I am not in a position to say for certain, that they would; I think there has been no expression of opinion by them.

3574. Have you had any opportunity of ascertaining what is the opinion of the ministers of religion of all denominations generally with regard to this Bill?—I am acquainted with all the ministers in the town, for I have to send them circulars every month, except the clergy.

3575. What is their opinion of the Bill?—They are all in favor of it.

3576. Are they very decidedly in favour of it?—Decidedly.

3577. What is the opinion of the Sunday-school teachers?—I am not connected with Sabbath schools, and I have not had much connection with the teachers.

3578. Do you know whether many of the Sunday scholars are found in the public-houses on the Sunday evening?—I found some when I was visiting the public-houses.

3579. I believe the Mayor of Bradford is Mr. Law?—Yes.

3580. Do you know that Mr. Law has signed a paper, recommending the Bill proposed by Mr. John Abel Smith?—I am not aware of it, he was not at the public meeting.

3581. However, that is a fact; what should you say with regard to the wives of the working classes generally; do you think that they would be favourable to a Bill like this?—Most decidedly; they cry out about the drinking habits of their husbands whenever we are visiting them, and they do wish that something was done in order that their husbands might be saved from the temptation, and kept at home.

3582. Do you think that the families of the working classes, generally, would be at all materially bettered in their circumstances, made happier, more peaceful, better fed, better clothed, and better educated if this Bill were passed?—I do indeed, arising from the fact that, many of them leave their families on the Sabbath day, and spend all the hours they possibly can in the public-house. Moreover, it continues their Saturday evening drinking, extending to Monday, and they lose a day or two at the beginning of the week, many of them, besides spending their money.

3583. Do you think that it would be a considerable improvement to close for the sale of liquor to be consumed out of the house at 10 o'clock, rather than at 11?—Yes, I believe it would.

3584. Have you seen a considerable number of persons in the public-houses between 10 and 11 o'clock?—Not betwixt 10 and 11. I have generally finished my visiting by 10 or a quarter past at the farthest.

3585. There are very large employers of labour, are there not, in the large factories, and iron works, and so on in Bradford?—Yes.

3586. What is their general opinion with regard to the probable operation of the Bill for closing the public-houses for consumption on Sunday?—I have not made any formal canvass of them to ascertain their opinion; but the few that I have met with and mentioned it to are decidedly of opinion that it would be of a great benefit to the working men in their employ.

3587. As far, then, as you know of the working classes themselves also, by a considerable

majority, would be in favour of this Bill?—Yes.

3588. I believe I have nearly gone through all the classes of Bradford; are there any classes in Bradford that you know who would not be favourable to this Bill?—There are the publicans and those who are continually drinking at the public-houses; but even a great many of those wish to be saved from themselves. As the quotation which I have read from the letter says, those men are slaves to the drink, and continual Sunday drinkers, and yet they say that they would be very glad if such could be done.

3589. Do you know whether any publicans have expressed any opinion in favour of this measure?—I am not aware. I know that they put out some bills similar to those mentioned by the Leeds witnesses when the Sunday Closing Committee advertised a town's meeting in the Mechanics' Institute, and for fear that there should not be a free discussion allowed, and as the Mechanics' Institute only holds about 1,000 or 1,100 people, they took the St. George's Hall in order to ascertain the real opinions of the people.

3590. I think you have resided some time in Halifax?—Yes, I have.

3591. Can you tell us whether the feeling there is like that in Bradford?—I cannot say with regard to the feeling of the working classes. I was going to say that the drinking customs are of a similar nature, for I visited the public-houses in Halifax on the Sabbath evening, but I never took note before this past winter.

3592. You have been yourself a working man, I think?—Yes, I have.

3593. And for a great many years?—For 10 years I was a boiler maker.

3594. And you think that you know well what the feelings and wishes of the working men are?—I think I do, to a great extent.

3595. And their opinion is what you have expressed, that on the whole there would be a large majority in favour of this Bill?—Yes, a large majority in favour; there is no doubt whatever about it.

3596. Mr. Malcolm.] You say that you think there would be a majority of something like eight to one amongst the working classes in favour of this Bill, at all events; with such an enormous preponderance as that, could not they do anything to help themselves without interfering with those who might not wish it?—In what respect?

3597. In abstaining from going to the public-houses?—Yes; but you understand something, I dare say, about men's passions, especially with reference to drink; and, as I have just said, there are a great number of them who would be glad if the temptation was removed out of their way.

3598. And without that removal they are not able to restrain themselves?—A great many of them are not.

3599. Mr. Locke.] And they have no consideration for those people who can restrain themselves?—I did not ask them the question.

3600. They only said that they wanted to take care of themselves?—Just so.

3601. In what places do you say that you know that the wishes of the working men are in favour of this Bill?—In Bradford; I cannot answer for any other place than that.

3602. You say that you have not asked them generally through the place?—I have ascertained it in the case of a thousand families.

3603. Whom

3603. Whom have you asked in those families?—I have asked the heads of the house.

3604. Male or female?—Male, of course.

3605. Do you say that those were persons very much addicted to drinking, a great many of them?—No, I did not say that. This was the statement of the missionary in the case of the 120 that he asked just in one district of the town.

3606. Do I understand that he asked 120 drinking people?—Yes he did.

3607. Were they all drunkards?—No, not all drunkards; they were in the habit of drinking; they were slaves to the drink; he puts those words, and the majority of them Sunday drinkers.

3608. Slaves to the drink and continual Sunday drinkers; that was the expression, was it not?—Yes.

3609. All those 120 were slaves to the drink and continual Sunday drinkers; were they sober when the question was put?—Yes.

3610. Considering that they indulge to this great extent in drink, they wish all the public-houses to be shut up on Sunday?—That is their wish.

3611. What did they say about Monday?—They did not say anything about the Monday.

3612. Did they make any reference to Saturday night?—No.

3613. They did not say that they wanted the public-houses shut up on Saturday night?—There was no question asked about that.

3614. What was the precise question that was put; I suppose it was drawn out already, cut and dried?—This is drawn out cut and dried, because it was given to me by the missionary himself; and the question he put to them was, "Are you in favour of closing the public-houses on Sundays?"

3615. But there was no other question put?—No; I think not.

3616. And it assumed that they would be open all the rest of the week?—Yes; I suppose it would be so.

3617. Supposing that all those public-houses were entirely closed on the Sunday, what do you suppose that those 120 men who are slaves to drink and continual Sunday drinkers would do on the Sunday?—Stay at home with their families.

3618. They would all stay at home with their families, would they?—I hope so. I cannot answer for that, but I hope they would; there would be a better chance for them to do so.

3619. When they stayed at home with their families, what do you think they would do?—Instruct them I hope, and teach them something good.

3620. You think that all of these 120 drunken men would turn of a sudden and stay at home with their families, and teach them something good?—I do not think so, but I hope so, and I believe the majority of them would do that.

3621. Do you not think that many of those 120 men, not having had their minds properly regulated, would find that rather dull?—Yes; perhaps they might.

3622. Do you think they would then look out for some other excitement?—I dare say they might take a walk into the park.

3623. Would they take their wives out with them?—Yes; I think so.

3624. That would be a very great improvement there is no doubt?—Yes, when they have got something to take them out in.

3625. Would you furnish them with some other recreation than merely walking into the park; if there were a band of music in the park for them to listen to, would you have any objection to that?—I could not sanction anything that would tend to a desecration of the Sabbath.

3626. Then you would leave those men either to sit at home, or what else?—Or to attend the House of God, or take a walk out.

3627. And those are the two things that you would leave to them?—Yes.

3628. And you think that those are the only two things that a man could do on the Sabbath, as you call it, but I call it Sunday?—If there is anything else of an innocent nature, I should have no objection to it.

3629. And you do not consider that listening to music is innocent?—Yes, in itself it is; but there are always some associations with it that are injurious, I believe.

3630. But there are associations that are injurious, if people choose to make them so, everywhere, are there not?—Yes, I daresay.

3631. There have been bad associations in people going to chapel even; that has been known before now?—Yes, but we had better not increase the number of those that we have any doubts about.

3632. Then you would not let them go to chapel?—Yes, I would; I would urge them to go.

3633. But what I ask you is this, whether if persons are evil-disposed, there is any single place that they can go to where they may not act wickedly instead of properly?—There is the Working Man's Institute open on Sunday.

3634. But I ask you whether, if a person is evil-disposed, there is any possible place that he may go to that he may not turn to a bad purpose instead of to a good purpose?—Yes, I should think they cannot do that in the House of God; not openly, at any rate.

3635. But they have to go there and they have to come back, have they not?—Yes, that has always satisfied me ever since I knew anything about things. During the years I was a working man I neither wanted a public-house open or any other place.

3636. Nobody supposes that you did; but as you are as proper a man as could be selected for the question to be put to, I ask you this: supposing they were debarred from the public-house and nothing else was found them for the purpose of recreation, what do you suppose they would do?—I can hardly say what they would do. We should have a better opportunity of bringing them up to a higher level.

3637. You stated, did you not, that the 120 people who were asked the question about this Sunday closing and the Permissive Bill were all against the Permissive Bill, and were in favour of the Sunday closing?—I did not say that. The statement I made was in reference to the Permissive Bill canvass, and not to the 120 men; and a certain number were against the Permissive Bill who would have signed if it had been a Sunday Closing Bill.

3638. They were in favour of the Sunday closing and against the Permissive Bill, is that so?—Yes, a number of them were.

3639. Will you be kind enough to say whether they stated any reason for their entertaining that opinion?—Many of them said that when they went into the country they wanted somewhere to call at.

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3640. I mean those who were in favour of the Sunday Closing Bill and were against the Permissive Bill, what reason did they give to you for being in favour of the one and against the other?—Simply because they would want to get something to drink.

3641. On week days?—Yes; and they thought they could not do it if there was none sold.

3642. What was their ground; was it that they did not like drinking on Sunday, or was it that they did like drinking, but not on Sunday?—On account of the immorality of the thing.

3643. They did not think it was immoral to get drunk on Monday?—They did not say anything about getting drunk; it was as to getting drink.

3644. That was only on Sunday?—There is a difference between getting drunk and getting drink. I was not saying anything about getting drunk.

3645. However, they were against the Permissive Bill because it would prevent their drinking on all the other days?—Yes; but with regard to Sunday they considered that it ought to be a day of rest.

3646. *Chairman.*] You have stated that there were a number of persons in certain public-houses in the town upon the Sunday evening who might be considered as about five or six per cent of the whole population?—Yes, I suppose it would be that. I have given the Committee the numbers.

3647. Of course the greater portion of those would not be consenting parties to their being prevented from going to the public-houses on Sunday?—The greater portion of them perhaps would not, but many of them would.

3648. You make the recommendations that you put to the Committee clearly seeing, do you not, that you would be putting an involuntary restraint upon that large number of persons?—Yes.

3649. Are there not a great many working men (as you have spoken of the feelings of working men) who are very averse to being too much restrained; I do not mean bad men, but men who think that they should not be too much interfered with, and that they ought to have freedom of action?—With regard to the better and more respectable class of working men, there are very few of them but would be in favour of this Bill.

3650. You would not say that you know so much about working men as to say that there are very few, would you?—Very few; I mean, taken in comparison with the whole of the working men of the town.

3651. Very few of these you know?—Yes; but I have a general acquaintance with working men, and I know the type of men generally, they do not differ so very much in a town.

3652. Do not you think that there are differences of opinion among working men, just the same as in any other class?—Just the same.

3653. You find, do you not, that some take one side and some the other of every question, just the same as any other class?—They do.

3654. Do not you think that on the whole, knowing that you had a strong opinion upon a certain point, they would not be likely to come and argue with you, but would rather avoid argument upon that point?—They are independent enough generally to express what they mean about anything.

3655. Are you not more likely to meet men who agree with you than those who do not?—Not from the fact that I am in favour of it.

3656. If you could not have all you wish you would like to have a change in that direction, would you not?—Yes, very much.

3657. Would you consider it a great advantage so far if you could get half the Bill, that is to say, if you could get the public-houses closed on Sunday except during four hours, and, during those four hours only, people should be allowed to buy liquor?—Yes, I believe it would be an advantage on account of the number of people gathered together in public-houses.

3658. If it were thought by those who consider all classes of opinion that this Bill was proposing to go a little too far, you would take an instalment, would you not, rather than have none at all?—Yes, I would, rather than have none at all.

3659. *Mr. Horsfall.*] I think you stated, in reply to the Honourable Member for Southwark, that there were 120 persons who had been met with by one of the missionaries who were slaves to drink, and who were in favour of closing public-houses on Sunday?—Yes.

3660. And, in addition to that, you stated that you had yourself visited a thousand families who were in favour of entirely closing?—Not a thousand families in favour, but a large majority of a thousand people; the heads of families.

3661. What proportion of the thousand families would be in favour of entire closing?—I should think, though I took no note of it at all, that there would be two-thirds at least.

3662. And those were of the working classes?—Yes, they were.

3663. And what proportion does that thousand families bear to the whole population of Bradford?—The population of Bradford is 130,000.

3664. Then you have only tested it to 1-130th part of the population?—That is all, but it was not done with any design of this kind. The proportion tested was one in 26, allowing five persons to a family.

3665. Had you a house-to-house canvass?—There was a house-to-house canvass for the Permissive Bill, but we had not a canvass of the town generally.

3666. You told the Committee that there had been a large meeting at St. George's Hall; what was the precise object of that meeting?—To pass resolutions in favour of closing for the whole of the day. That feeling in Bradford is rather stronger than in favour of Mr. Abel Smith's Bill.

3667. What resolution did that meeting come to?—Most decidedly they were in favour of closing the whole 24 hours.

3668. You are yourself generally in favour of the proposal of closing the whole day, are you not?—Yes, I am.

3669. And you would prefer that to Mr. Abel Smith's Bill?—Yes, I should.

3670. But you have already been asked whether you would not prefer an instalment to letting matters remain as they are?—Yes, I would.

3671. You prefer that they should be closed for the 24 hours, and the less they are open the better?—Yes.

3672. Has drunkenness increased at Bradford lately?—I have only been in Bradford three years and five months, and therefore I am not able to say.

3673. Have you noticed whether there is a greater proportion of drunkenness amongst the men

men than amongst the women?—It is more amongst the men than amongst the women.

3674. Mr. *Knatchbull-Hugessen*.] You have not known Bradford very long, have you?—I lived in it 16 years ago, but since then I left it for some years, and I have been there now three years and five months.

3675. It is rather a good place for large meetings, is it not?—Yes.

3676. The people are rather excitable there, and if anything agitates the public mind, they meet in large numbers, do they not?—Yes; I believe they take their part in anything that is brought before them.

3677. Did you ever attend a reform meeting there?—I have been once present at one.

3678. Where was that meeting held?—In St. George's Hall.

3679. Was it quite full?—No, nothing near.

3680. Have there not been some very large meetings held there?—There have been lately, in connection with various political matters, but not reform meetings specially.

3681. What sort of number do you get at meetings on political matters?—In connection with the Irish Church, and meetings which Mr. Miall addressed, and such like, the place was always crowded.

3682. Have you not seen a report of a meeting at Bradford on the Irish Church question, at which there were 10,000 persons present in the open air?—I do not know, there may have been, I never attended any political open air meeting. I remember seeing the advertisement of such meeting, but did not attend it, or read the proceedings.

3683. At this meeting at St. George's Hall, something less than three per cent. of the population were present?—Yes.

3684. Therefore that subject was not so interesting to the population as some other subjects?—No, it was not; circumstances had not arisen to cause the same excitement on this subject.

3685. What class of people are the Sunday school teachers that you were asked a question about?—They are chiefly working people.

3686. Are they persons who frequent public-houses at all?—No, I should say not.

3687. They do not require it?—I do not know that, they will make other days satisfy them I think if they do.

3688. That is not their habit?—I have not met with any.

3689. The large employers of labour who are in favour of Sunday closing, do not frequent public-houses on Sunday, do they?—I have not met with them.

3690. They have got their own houses?—Yes, they have their own houses.

3691. The ministers of religion, do you find them in public-houses on Sunday?—I do not.

3692. Therefore, those three classes who are unanimous in condemning the opening of public-houses on Sunday, are three classes of persons who do not require them for themselves?—They do not require to go to them.

3693. Mr. *Yorke*.] What are the duties of the mission that you belong to?—To visit from house to house, to read the Scriptures, and instruct the people generally, and persuade them to go to a place of worship.

3694. Does that give you large opportunities of knowing what people's opinions are upon these

kinds of subject?—Yes, it gives us an opportunity of knowing.

3695. At this meeting which was held in Bradford, that you speak of, you put a question from the platform, whether there were any persons there who would like to live near a public-house, and there was only, I think, one person who said that he would; I suppose that any house, where the public resort much, would be considered as more or less deteriorating the value of house property in the neighbourhood, would it not?—Yes, I believe it would.

3696. For instance, a school?—No, not places of that kind, because they come out from those places as sensible as they go in, or far more so; but you seldom find that to be the case with a public-house, you know.

3697. Is it not the case, that anything which introduces crowds of persons, even though they are orderly, tends to affect the value of house property in the neighbourhood?—I have never heard of such a thing, with regard to anything but a public-house.

3698. If the streets are crowded with noisy children going out to play, or assemblages of persons who come from time to time for any purpose, making more or less noise as they came and went, would not that interfere with the quiet of a man's dwelling, and so far deteriorate the value of his property?—Yes, it might, but it is not a common case. I have never heard of such cases, and if so, there is always easy means to redress a wrong of that kind, I think.

3699. You think that a public-house is an extreme case?—Yes, I do.

3700. Mr. *Baines*.] On how many nights at the close of the year, between October and January, did you visit public-houses in Bradford?—On seven Sunday evenings.

3701. On the week-day nights did you visit in the month of April, last month, some public-houses?—Yes.

3702. As to those, what was the number that you found?—In 78 houses I found 641 persons.

3703. And that would give how many for the whole 443 public-houses?—About 3,640, as compared on Sunday evening with 8,394.

3704. In the one case there were seven nights and the other case only three nights?—Yes.

3705. Then you must make allowance for that?—Yes; I only reckon an equivalent proportion.

3706. What was the proportion of women on those seven Sunday evenings?—The proportion was one woman in 13.

3707. I want to know the proportion that you found there on Sunday evening and the proportion that you found there on week days; what is the comparison?—On the week-day evenings in 78 houses I found 641 persons; so that, in the 443 houses that we have in Bradford, there would be 3,640 on the week evenings, as compared with 8,394 on the Sabbath evenings. I took the Wednesday and Thursday evenings, and visited them.

3708. What is the proportion between the week evenings and the Sunday evenings; is it $2\frac{1}{2}$ to 5?—Yes, I think that is the proportion.

3709. So that the upshot of the whole is that the proportion of persons attending on week-day evenings is not one-half the proportion on Sundays?—Not one-half. I wish to say that I visited them on those week evenings to compare them, because I knew that I was coming here. I did not visit them

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them on the Sabbath evenings with any idea of the kind. As I have stated to the Chairman, I visited the public-houses on the Sabbath evening giving tracts, talking to the people, and doing the best I could, merely as missionary work; but, during the month, as I went round, I found so many that I thought I might as well have notes of the number of people in each; that is the

reason why I took them. I never took them before.

3710. Mr. *Malcolm*.] Then you did not compare the same times of the year, one being in summer, and the other in winter?—It just happened so; I did not do it with any intention, but the evenings would be nearly the same in April as in October, I apprehend.

The Reverend SAMUEL ALFRED STEINTHAL, called in; and Examined.

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3711. Mr. *John Abel Smith*.] ARE you a Non-conformist Minister at Manchester?—I am.

3712. Are you resident there?—Yes.

3713. How long have you been resident there?—This last time I have been resident there about four years.

3714. Have you for a considerable number of years paid very close attention to all matters connected with the social effects of the law regulating the trade in intoxicating liquors?—Yes, for more than 20 years.

3715. Have you had good opportunities of forming an opinion as to the operation of the present laws, and the need of their amendment?—I think so.

3716. Are you in favour of extending the existing restrictions on the sale of liquor on Sunday?—Yes.

3717. Were you for eight years the first minister to the Liverpool Domestic Missionary Societies?—I was.

3718. And were you then brought into daily communication with the skilled artisans of Liverpool and the dock labourers, and not unfrequently with the criminal classes?—Yes, I was in constant communication daily with all those classes.

3719. And were you connected with several Reformatory Institutions there?—Yes; my work lay so very much amongst those various classes that I was compelled to take part in various reformatory movements of different kinds; for instance, I was visitor for some time at one of the boys' reformatories, and I used very frequently to visit one of the girls' reformatories, and I found it necessary in the course of my work to establish a special refuge of my own, where I could receive, without any previous testing of character, any women whom I found about in vicious practices and habits.

3720. Are you aware whether there is now a very large amount of Sunday drinking in Manchester?—I can speak both for Manchester and Liverpool, and I believe that there is a very large amount of drinking going on, on Sunday evenings especially.

3721. Are you at all cognisant of any calculation that has been made of the numbers frequenting public-houses in Manchester on Sunday?—There was a calculation made, but I have not got the figures; it was made at a time when I was not in Manchester, and I have not got the figures, and I could not at this moment lay my hands upon them.

3722. But it is probably a very large attendance indeed, is it not?—Very large.

3723. Were you secretary of the Liverpool Provident Society, which collected annually a large amount of the savings of the poor?—I was not the secretary of the society; I was one of the district secretaries of the Liverpool Provident Society. They divided the town into something like 30 districts; I forget the exact number;

and I was secretary of a district which collected the largest amount of savings of any district in the town; I was secretary of that district for somewhere about seven or eight years.

3724. Do you think that that gave you special advantages in knowing the habits and disposition and manners of the working classes?—With regard to Sunday drinking especially it gave me this advantage; I was obliged in fulfilling the duties of secretary, at least as visitor of that society, to go round collecting at various houses of the people, and I chose for that purpose an early hour on Monday morning; I had under me at that time somewhere about eight to 10 visitors who pursued the same course, and who reported and paid in the money to me. This brought me on Monday mornings to a great number of houses, and a little bit of practice soon showed me what had been done on the Saturday night, and the Sunday, by the inmates of those houses; I found the effect very strong indeed: that persons who had received large wages on Friday or Saturday were very often unable to pay anything on Monday morning, because the amount had been spent in drink; and there were some curious little things which gradually came to my notice in connection with that visiting. The people did not like the appearance of not being able to pay on Monday morning, and I have known such things as persons pawning articles of clothing or of furniture on the Monday morning early, so that they might be prepared for me, or any other visitor, with a sum of money to put in as savings; they seemed to be ashamed of having to confess their want, or rather their extravagance on the other nights.

3725. You are connected with the United Kingdom Alliance, are you not?—I am one of the executive committee of the Alliance.

3726. And with the British Temperance League also?—I am a member of the British Temperance League, and I was for three years the honorary secretary.

3727. Is it in virtue of either of those positions that you have made inquiries of chief constables and others?—No, it was not in that connection. That has been done in connection with the Central Sunday Closing Association. We sent out circulars to the chief constables of the chief places all through the kingdom, but we have not received replies to them all. The circular that we sent out was to this effect, headed with the name of the association: "To the Chief Constable at []. Please furnish us with the following particulars as to the number of persons apprehended for drunkenness and drunk and disorderly on Sundays. Number of persons []. On the whole of the other six days of the week []." In reply to that we received answers during the year 1866 from Bolton, Birkenhead, Bristol, Kingston-upon-Hull, Dublin, Newcastle, and Warrington. In the

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the year 1867 we received replies from Birkenhead, Birmingham, Blackburn, and a long list of places, from which it appears that on six days of the week the number of drunken cases that came under their charge was 44,031, and on the Sunday 12,214. I am sorry that those reports have been taken from 12 o'clock on Saturday night until 12 o'clock on Sunday night, because from what I have heard since the Committee sat, I think it would have been better if we had taken rather a later hour.

3728. From those figures it would appear that the proportion of drunken cases was considerably greater on the Sunday than on the other days of the week?—Yes; I have not only those replies, but I have in my hand several statements from the chief constables, in which they make remarks upon the subject; some of them very strongly in favour of restrictive measures. For instance, I just open one from Hull, in which the chief constable sums up his ideas in this way: "In my opinion, the only way to prevent drunkenness on Sunday is to prohibit public-houses being opened on that day." There are, however, some reports which are the other way. There are some that state that they are in favour of keeping the law as it is at the present time. These are the special statements (*handing in the same*).

3729. You do not consider, do you, that the police statistics do give an accurate picture of the amount of drunkenness existing in the country?—I do not believe that the police returns give an accurate account of what the condition of things is in a place. The instructions to the police officers are always of such a nature that they do not measure the actual intemperance of a community. They are very valuable, taking them year by year, and comparing them, because you can compare year by year and see what change has taken place; but if you wish to know the real state of sobriety or of intemperance, you must visit in the homes of the people, and see what is going on.

3730. Do you believe, as the result of all your inquiries, that a great number of the working men are in favour of the total prohibition of drinking on Sunday?—A very large number are in favour of it.

3731. Not the majority, do you think?—I believe the majority are. Indeed, I have some facts upon that subject. The Committee with which I am connected, of the Central Association, was anxious to obtain, as far as possible, an accurate knowledge of the state of things among the people, and we sent out to a large number of towns circulars asking them to make, if possible, a house-to-house canvass to inquire into the views of the people upon this question, giving a schedule to be circulated from house to house, which should be filled up by the householder and returned; and I have brought a copy of the form with me, which I can show the Committee. It is a blank form headed with the title of the association: "Household Canvass Schedule.—A Bill is now before the House of Commons having for its object the greater restriction of the sale of intoxicating drinks on Sunday. The action of Parliament in this matter will very much depend upon the wishes expressed by the people. A very large proportion of the people are of opinion that the trade in intoxicating drinks should be put upon the same footing as other trades, and the present restrictions extended to the whole of the 24 hours of Sunday. On behalf
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of the association we represent, we shall feel obliged if you will signify your wish in this matter by answering the following question: Are you in favour of extending the present restrictions on the sale of intoxicating drinks to the whole of the 24 hours of Sunday?" Then there is a place for the Christian and surname, a place for the residence, a place for the trade or profession, and then three columns, "Yes," "No," "Neutral." "Please give your opinion by making a cross thus + in the column marked yes, no, or neutral." And this was signed by the officers of our society and circulated pretty widely. Various towns took the matter up, and we supplied them then with the following directions: "1. Each ward to be divided into districts of, say, 250 houses, and one captain for each district. 2. Each captain to secure for himself the services of five men to take about 50 houses each, the captain having first arranged with the ward secretary of the district. 3. Each captain to deliver to his men a memorandum book for putting down anything special, also a paper for every house in his sub-district. 4. The captain to copy into a book name, residence, trade, how voting, &c., from the papers when returned, and send the same duly cast out to the secretary. 5. Urge your men to put aside every engagement until the canvass is complete, as it is very urgent." We have also had printed forms directing the canvassers, which I have brought with me also; I will only mention one of them. They were instructions given in order to make the thing as correct as possible. For instance, we gave instructions that if the occupier could not write, the name was to be filled in by the canvasser, but he was to sign by the side of it with his own initials, to mark it, and special instructions were given to canvass every publican and beer-seller. We have received returns to that form from 56 different places, but the canvasses of all those places, I am sorry to say, are not complete; there are some of them that are still in progress, but the general aspect of the thing is pretty strong. We have had them from Brierly Hill, in Staffordshire; from Hanley, from Kirkham, in Lancashire; from York, from Chapeltown, near Sheffield; from Audley, in Staffordshire; from Little Hulton, in Lancashire. The latter are small places. Also from Burslem, from Staveley, Buxton, Salford, Stoke-upon-Trent, Boston, Ramsbottom, Farnworth, Newcastle-under-Lyne, Heywood, Bury, Altrincham, and a long list of places, and amongst others, Manchester, about which I can, perhaps, give some more accurate information than about the others. The result of that canvass hitherto, making it up to what I was able to make it up to last night, was 88,876 persons in favour of total closing, 13,809 against, and 11,127 declaring themselves neutral. With regard to the way in which the canvass was got up, to show the accuracy of the thing, I have brought with me the canvass copies of some of the wards of Manchester which we completed.

3732. Mr. Horsfull.] Was the aggregate number which you have stated the return from all those towns?—Yes, from all those towns; the 88,776 were all householders.

3733. Mr. Knatchbull-Hugessen.] Do you put side by side in the return the number of householders in all those towns?—I cannot do that in all those cases. Here is one of the canvass books for one of the wards in Manchester (*producing the*
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the same) which will show how we do it. The very fact of there being some slight discrepancies in the addition show the *bona fides* of the thing. The result of the canvass is this: the number of houses visited in that ward were 2,446, but we have returns for a number slightly in excess of that, namely, 2,465.

3734. Mr. *John Abel Smith.*] There might be more than one man in one house?—Yes; very possibly there may be more than one; there may be two householders in joint occupation. This is one of the worst wards in Manchester; it is the St. John's ward, and it contains Deansgate and all the streets that run off from Deansgate; I think, perhaps, in some respects the lowest, as far as regards moral condition, of any district in Manchester, and the returns there in favour of were 1,474. "No," 364; "Neutral," 175; "Refused" (that is, would not have anything to do with it), 201; "Out when the canvasser called," 203; "Empty houses," 48. The book entered up with each street, each number in the street, the name of the person inhabiting the house, and, wherever possible, the occupation. I may say that I have not brought them into the Committee-room, but I have in London all the autograph schedules filled up.

3735. *Chairman.*] How are the funds provided for this sort of work?—By private subscription.

3736. Under the auspices of the society?—Yes.

3737. Mr. *John Abel Smith.*] Was not a great deal of this canvassing work done voluntarily?—Out of 560 canvassers, perhaps, that we had in Manchester, I believe, with the exception of ten or a dozen, at the outside, they were all voluntary canvassers. I have also the canvass of the New Cross Ward, which is thoroughly a working man's district, in Manchester; and the summary of the New Cross Ward gives us, 2,251 in favour, 278 against, 165 neutral, 113 refused to answer, 37 houses empty, and 106 persons not at home when the canvasser called. That was a large ward, and I have brought specimens, if any one likes to see them, of the autograph schedules of the various people. I only want to show that we have really done the thing as much as possible with accuracy, and with a desire to get at the truth of the case. There were some more towns on that list, that went on a different plan rather to what we had done. Instead of taking the schedule that we put out with the simple question, "Are you in favour?" they put in a further form, as to whether they were in favour of restriction. Leicester, Stockport, Bolton, Brymbo, Rochdale, Grimsby, Derby, and Wrexham, went upon that plan, and I have the returns here of those places as well. In the Leicester return, of which I have here the form, the question was, "Are you in favour of closing public-houses and beerhouses during the whole of Sunday?" "Would you prefer that the sale of drink should be allowed during any part of Sunday?" "Do you prefer the law as it is?" The return is in nine sheets, for the districts canvassed in Leicester, and it gives in the abstract that 113 professional men were in favour of total closing.

3738. Colonel *Fane.*] By professional men, do you mean public-house keepers?—No; I mean by that lawyers, medical men, clergymen and ministers. Manufacturers and tradesmen, there were 1,629; working people, 6,104; publicans and beersellers, 22. For total closing, 7,908; in

favour of further restrictions, 706; in favour of the law remaining as at present, 19 professional men; 288 manufacturers and tradesmen; 1,953 working people, and 147 publicans and beersellers; making a total of 2,407 as against 7,908.

3739. Mr. *Malcolm.*] Does the return represent the entire population of Leicester?—I do not think it does. These are the districts of Leicester that were canvassed. There were not the entire town that I know, but only certain districts were taken in order to be a type of the whole town. It was too great a task if the committee were to undertake the whole town. Those people who make the return are, of course, householders and occupiers.

3740. It is only a canvass of part of the town, and we do not know what districts they were?—I am sorry to say that I cannot inform you.

3741. Colonel *Fane.*] Can you give the total number of occupiers in those districts?—No, I have no return upon that subject. I have a similar classified list for other places. For instance, here is one with the signature of the chairman of a public meeting attached to it, and this meeting passed a resolution, "That this meeting is of opinion that the Sunday closing canvass has been conducted fairly, and the result as stated is a correct one." It gives the number of houses canvassed in Ramsbottom, a small manufacturing place about 13 miles from Manchester. I have here also a return of the canvass papers collected in the parish of Staveley, which, as is well known, is one of the colliery district; and it is well known because of the great strike that took place there, and the contest amongst the working people. That return shows that of the various householders there were 900 in favour, 57 against, 54 neutral, 6 persons refused, and 81 persons not at home. A few publicans are amongst those that said yes. I have also some of the Welsh Returns, and they are all included in that long list which I put in.

3742. *Chairman.*] Do you state generally that the result is the same?—Generally speaking, the result gives a very large majority in favour of total closing wherever it has been tested. I can say this much, that in those parts of Manchester, in which the warehouses are situated, where the occupiers are merchants and men in good circumstances, and in the districts in which those gentlemen reside, the returns are not so favourable to the closing of public houses as they are in the clearly working men's districts of New Cross and St. John's, and St. Michael's wards, the working men's wards, those are the strongest in favour of closing.

3743. Was the question which you put to those people, whether they would have them closed altogether on Sunday?—Yes.

3744. Even for the sale of drink to be consumed off the premises?—Yes.

3745. Mr. *John Abel Smith.*] Do you conceive that the parties who are in favour of total closing wish success to the Bill now before this Committee or not?—I should say, yes; they wish success to this as an instalment of what they want to get.

3746. Do they not look upon the Bill now before the Committee as going far enough?—No, not far enough.

3747. Do you personally yourself apprehend that such a Bill as that before the Committee would, if it were carried into a law, produce anything like disorder or confusion or violence amongst

amongst the people?—No, there is not the slightest danger of that.

3748. Do you believe that the respectable working classes would resist any movement of that kind?—Any riots of the kind that you indicate, they would resist certainly.

3749. But in Manchester and in all towns there are a considerable number, are there not, what are called roughs?—Yes.

3750. Would you have any trouble with them, do you think?—No, I think not.

3751. Do you believe that the respectable working men would side with the administrators of the law in preserving peace, if there were any disturbance?—I do not think there would be any disturbance, but I am sure that the working people would side with the authorities; and what more, in one of those wards which I have been speaking of, New Cross Ward, which contains, I believe, in Ancoats the greatest number of roughs that we could find in Manchester, I believe that they would be strongly in favour of the measure.

3752. When will the canvass of Manchester be complete?—That would be a difficult thing to say; I left Manchester yesterday, and the committee there knew that I should be examined to-day, and I fear that that will rather stop further canvassing.

3753. But you put in the results as far as you have gone?—Yes; the results, as far as I have put them, for Manchester, include numbers like these: 27,612 in favour, 4,096 against, and 2,190 neutrals; that is as far as we have gone. Besides that, this morning I received a return from Manchester. That return says that the city, including all the houses within the Parliamentary boundaries, was divided into 15 districts, and 426 houses have been visited. The householders are divided into classes for statistical purposes; Class 1, comprising clergymen, ministers, solicitors, physicians, surgeons, ladies and gentlemen, civil engineers, auctioneers, secretaries, schoolmasters and schoolmistresses; Class 2, brewers, innkeepers, and lodging house-keepers; Class 3, grocers, drapers, chemists, booksellers, and tradesmen generally; Class 4, blacksmiths, carpenters, bricklayers, journeymen mechanics, and artisans; and, Class 5, labourers. The following is a summary of the canvass: Class 1. Yes, 67; No, 24; Neutral, 17; refusing to receive the canvassing papers, or to give an opinion, 9; persons from home, empty houses, and lost papers, 10; Class 2. Yes, 18; No, 27; Neutral, 4; refused to receive canvassing paper, 33; total, 92; Class 3. Yes, 79; No, 40; Neutral, 9; refused to receive paper, 115; persons from home, empty houses, and lost papers, 5; total, 198; Class 4. Yes, 83; No, 75; Neutral, 55; refused to receive canvassing paper, or to give any opinion, 214; persons from home, empty houses, &c., 14; total, 441; Class 5. Yes, 82; No, 70; Neutral, 53; refused to receive canvassing papers, &c., 181; persons from home, &c., 2; total, 398. I have also just had a note giving me a report of what is going on in Sheffield, but the canvass there is not yet completed.

3754. In addition to those, has there been any canvass of the employers of labour?—Yes; we went out to the various employers in the country to form for them to fill up, if they were in favour of our measure. This is simply a statement, therefore, of those who are in favour of our measure. I cannot speak to any canvass on the general question; but we have, from a long list

of employers that I hold in my hand, employing 77,707 hands in all branches of labour, a return that they are strongly in favour of closing public-houses, as a benefit to them and to their workpeople.

3755. Have you any workshop canvasses?—Yes, we have done that also. We thought that a household canvass did not touch the lodgers amongst the workpeople, and that it would be advisable, therefore, to go into the workshops whenever we had an opportunity, to see what the opinion of the workers was upon the subject. We asked them the simple question also, whether they were in favour of closing or not, and we put into their hands a paper, and left them to fill it up. We canvassed the workshops of Dixon and Company, of Manchester, timber merchants, the Globe Spinning Company, the Manchester Carriage Company, Hall, McKerrrow & Company, Whitworth Brothers, merchants, Parr, Curtis, and Company, machinists, and a large number of others. I am sorry to find that I have not got all my papers with me. I thought I brought everything, but I have left a larger list of workshops at home than I have brought with me; but that which I have got here shows a very large majority of the working people in favour of the total closing, which I will put in, and I will furnish the remaining workshop canvass that I have. I may say that all those papers were filled in by the workpeople themselves. They received their schedule in the morning and it was brought back and collected in the afternoon.

3756. There was no solicitation?—No solicitation and no argument with them, we had not the time; it would not be allowed in a workshop to have any argument upon the subject, it was simply placed in their hands and collected again without any talk upon the subject, simply getting their opinions unbiassed.

3757. Mr. Knatchbull Hugessen.] Did they have that circular which you mentioned?—Yes, they had this form which I have here. That was the exact form which was put before them (*handing in the same*) with a slight difference in the wording of the question. One was worded "Are you in favour of increasing the restrictions," and this is simply "Are you in favour of closing."

3758. Mr. John Abel Smith.] Speaking generally, you wish to see the Bill before this Committee become law?—Yes.

3759. Colonel Fane.] This Bill proposes that during certain hours drink may be procured to be consumed off the premises; do not you think that that would lead to a considerable amount of illicit drinking, and that the people would take a great deal of liquor to their own houses, where they would not have the supervision which to a certain extent now exists, and that drunkenness would exist very much more in their houses?—I, perhaps, have not as great faith as some of the gentlemen who have been examined before in the supervision which those public-houses have at the present time.

3760. Then you think that that which I have indicated would not be the case?—No, I have no fear of that.

3761. Mr. Malcolm.] You take a great deal of interest in this Bill, and you have attended this Committee, I think, from the first?—I have.

3762. I think you said in the first paper that you put in with regard to the Sunday drinking, that it was taken from 12 o'clock on Saturday night to 12 o'clock on Monday morning?—Yes, I ought to have said Sunday night, I meant the 24 hours.

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3763. In reference to those voluminous canvasses and statistics which you have put in from Leicester, and so on, you say that they were only partial canvasses, canvasses of certain districts of the town; do you really consider that canvassing certain districts in a town is a fair test of the feeling of that town?—If the districts are fairly chosen; if you take, for instance, one district which is a thoroughly working class district, another which is a shopkeeping district, and another where professional men live, I think you get at the general average of the opinion.

3764. If you were canvassing London, would you take St. George's and St. Giles, and put them as two specimen districts of their classes?—Yes.

3765. Mr. Locke.] I think you said that the police statistics were not much to be relied upon as indicating what was the state of drunkenness?—Not as indicating the absolute amount of drunkenness.

3766. And I think you went on to say that it is necessary to ascertain the state of the sobriety in the homes of the working classes?—Not to ascertain the state of sobriety, but to visit in the homes, to see what is really going on amongst the people. You must be familiar with the house of a person before you can know what his habits are.

3767. How have you ascertained the habits of the people in their houses; was it by visiting?—By constant visiting.

3768. What do you say is the state of sobriety, generally speaking, in the houses which you have visited?—I find a great amount of intemperance amongst the people of Liverpool, and at the same time I do not wish to say that all the houses that I visited were the houses of intemperate people; but I did find more intemperance in my daily visits than I think is generally imagined to exist by persons who are not equally familiar with the condition of things.

3769. That was in their own houses?—Yes; but do not misunderstand me in thinking that I found them always drunk at home. I do not mean that; but I saw, from the state of the houses, that they were intemperate people who lived there.

3770. They were people who got drunk there?—No, I do not say that; they were not people who got drunk there. Very rarely indeed is it found that working men get drunk at home.

3771. How is it that they do not get drunk at home?—Because they get their drink at the public-house.

3772. Supposing they could not get it at the public-house, do not you think they would have it somewhere?—I do not see how they could. If you stop the sale I do not see how people are to buy.

3773. But you do not stop the sale; the sale is not stopped by this Bill?—No, not by this Bill; I thought you were speaking generally. By this Bill they will take the drink home.

3774. You are assuming total abstinence?—I thought that your question assumed it. By this Bill they would certainly be able to take drink home.

3775. That is just the point I want to ask you about. You say that you have gone into the houses of persons and have found drunken persons; but you say that they have got drunk at the public-houses; if the public-houses were open for three hours and-a-half every Sunday, do

you not think that there would be an opportunity of their buying liquor and taking it home, and getting drunk at home?—There would be an opportunity, no doubt.

3776. If a man took a quantity of liquor home he would take a tolerably good supply if he was a drunkard, would he not?—Very likely he would.

3777. Would not he be more likely to get drunk in that way than if he merely went into a public-house and took a pint of beer?—If he restricted himself to a pint of beer, yes; but if he was an intemperate man he would not.

3778. He would not be likely to take merely a pint of beer home if he was a drunkard, would he?—In our part of the country, it would be rather introducing a new system; people do not generally take drink home. The trade is in drinking on the premises rather than in supplying for consumption at home.

3779. Supposing the only opportunity that man had of drinking on Sunday, unless he got a good store already in his house, was, by taking it home to drink it, do you or do you not think that that would be done to a great extent as in his leisure day, and he has nothing to do, and he has acquired the habit of drinking?—That would to a considerable extent be done, I have no doubt.

3780. Would not that be likely to create in many instances much greater inconvenience than that which exists at the present time, and which this Bill is intended to remedy?—No, I do not think it would create a much greater inconvenience; I think that this Bill would so much limit drunkenness that the amount of drunkenness that is created in the way that you have suggested would not be at all to be compared with the present amount.

3781. What is your reason for thinking so?—Because every difficulty that you put in the way of the consumption of drink always seems to diminish the sale and to limit drunkenness; whenever you remove the facilities for getting drink, you diminish drunkenness.

3782. Your view then is, that you would remove the facilities altogether, and you would not allow anybody to have any drink at all; do you go that extent?—I am one of the executive committee of the United Kingdom Alliance for the entire prohibition of the sale of drink.

3783. What do the Alliance propose?—We propose to get the entire prohibition of the sale of drink.

3784. Colonel Fane.] Do you propose to have a Maine Liquor Law?—We have not proposed the Maine Liquor Law exactly. We have proposed a Permissive Bill, which is a means of obtaining the same end.

3785. Mr. Locke.] I suppose that if you could carry out your views to the full extent, you would forbid not only the sale of any liquor, but the manufacture of any, and you would neither allow wine, beer, spirits, or any of those things to exist upon the face of the earth?—You put rather a wide question; but if you were to give me the power of destroying the thing altogether, I know that by destroying it altogether I should do much good, and I would do it.

3786. And you would destroy it if you could?—If I could I would destroy it; but I do not generally try for impossibilities.

3787. Then, what would become of the doctors?—I think they would find their practice very much limited.

3788. Do you not think that a bold doctor might recommend a glass of brandy-and-water to the honourable Member for Leeds; do not you think that such a thing as that might occur?—I know that some medical men do.

3789. To a very great extent, do they not?—I know they do; but I have not yet learnt that medical men are always correct in their prescriptions.

3790. Then, are those always correct who drink nothing but water; they die as well as the rest of us, do they not?—Yes, they do; but, taking our average of life, it is longer than that of the rest. The statistics of the insurance societies show that.

3791. I should like to have those statistics; I think they would be much more instructive than any we have had, for I never saw such statistics in my life?—I shall have very much pleasure in furnishing them; I have not brought them to-day. I did not think that they belonged to our subject; but I certainly will furnish the honourable Member with them.

3792. Perhaps one might be allowed to ask how those statistics are obtained?—From the insurance societies. They have two classes of lives which have been insured; the class of moderate drinkers, for they do not accept any that are intemperate, and the class of total abstainers; and it is the results of the deaths in those two classes of lives that I refer to.

3793. But are not immoderate drinkers and total abstainers both objectionable lives in an insurance office?—No, total abstainers are considered very valuable lives.

3794. What insurance offices get the total abstainers; I am a director at an insurance office, and we never insured anybody of that sort, at least I never heard of the fact?—Perhaps not, but I will furnish you as I say with full statistics. I do not like to quote the names of the societies without being sure that I am quoting them quite accurately.

3795. Mr. Horsfall.] With regard to the returns which you have presented to this Committee, I think those from Chichester were the worst, that is to say, the least favourable to the views which you have expressed to the Committee?—I think they are.

3796. Can you account for the difference between Chichester and other towns?—I think if you take the north of England generally in Lancashire, Yorkshire, Derbyshire and the Midland Counties, teetotalism and the Alliance agitation connected with the Permissive Bill, has elicited a very strong popular sentiment in favour of restrictive measures generally, even where it has not brought people up quite to a full agreement with the principles which the promoters of those measures profess.

3797. I think you stated that you were in favour of the Bill before the Committee becoming law?—Yes.

3798. But you would infinitely prefer entire closing?—Yes.

3799. Are you of opinion that the returns which you have laid before the Committee fully express the opinions of the majority of the working classes in favour of entire closing?—I think so.

3800. You stated a short time ago that from the houses which you had visited in Liverpool you thought it was rather a drunken town, or that drunkenness was carried on to a great extent there?—I speak from what I knew when I lived there. 0.69.

in Liverpool; it is rather more than four years since I left Liverpool.

3801. Were you long a resident there?—About eight years.

3802. Were you aware that a canvass of that town had been made?—Yes, I was aware of that, but that was at a time when I was not in Liverpool.

3803. Were you aware that 80 per cent. of the householders have signed papers similar to those which you have laid before the Committee in favour of entire closing?—I am aware of that.

3804. And do you think still that there is an excess of drunkenness there notwithstanding that?—Yes. I think you often find, indeed my own experience has shown me very often, that persons were desirous of closing the public-houses who were very regular frequenters of them as long as they were open.

3805. But they were themselves unable to resist the temptation?—Yes.

3806. And they would be very glad if somebody would put a restraint upon them?—Yes.

3807. Mr. Knatchbull Hugessen.] With regard to this canvass, it was instituted, was it not, by persons who were desirous of obtaining particular answers to the questions which they asked?—Yes.

3808. Therefore, a large number of easy-going obliging men, who like to say yes when they can, would be likely to return a favourable answer without even having fully considered the subject?—The canvassers would not have time to discuss the question, because their instructions were simply to leave the paper at the house one day, and go after one or two days and fetch the paper back; they would not have time to discuss the question.

3809. But this schedule which you have been kind enough to hand to me would rather of itself incline persons to a particular answer, would it not, and it was so intended?—I do not think it was intended to incline people; it was a statement of fact.

3810. Let me put this question to you. You state in this schedule, which every person receives, that a very large proportion of the people are of opinion that the trade in intoxicating drinks should be put on the same footing as other trades; would not that rather tend to induce people to wish to agree with this large proportion of people?—I should be very glad if it did.

3811. Supposing, for instance, that you had put this instead: A very large proportion of the people are of opinion that, whilst the upper and middle classes of society can obtain their liquor at present on Sunday, at their clubs or in their private houses, it is unjust to deprive the operative classes of those limited facilities which they at present possess, by means of the partial opening of the public-houses upon that day; that would be an equally true way of putting it, and should you not have thought it rather an argument in favour of that view?—I am not quite sure that I caught the whole of your question, or whether I should say it was equally true.

3812. You do not deny that a considerable proportion of those persons, for instance, who signed "No" against this schedule in its present form, whether from that argument or from some other, do not desire the restrictions which you advocate?—A good many do not desire them.

3813. May I not say a considerable proportion?—A considerable number do not.

3814. When you state that a very large proportion of people are of opinion that the trade in intoxicating

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intoxicating drinks should be put on the same footing as other trades, is not that giving a kind of direction as to the answer which you expect to the circular; and if, on the contrary, any person were to send round a circular to say this, "A very large proportion of the people are of opinion that, whilst the upper and the middle classes of society can obtain liquor at present on Sunday at their clubs, or in their own private houses, it is unjust to deprive the operative classes of those limited facilities which they at present possess by means of the partial opening of the public-houses upon that day;" would you not have said that that evidently pointed to one particular view?—I quite agree with you that it would be so.

3815. All that I wish to arrive at is this, that that circular rather influenced the people as to the answer which they should give?—I cannot exactly say for certain, but it may have done so.

3816. It must be very satisfactory to you to think that that, or something, has produced so large a proportion of answers in favour?—Yes, it is so, certainly.

3817. Mr. John Abel Smith.] Are not the working men in the north quite able to give a distinct answer when they are asked; do not they clearly know what the difference between no and yes means?—I think they do.

3818. They are independent enough to state what they mean, are they not?—They are generally very independent.

3819. Mr. Baines.] Have you had much opportunity of learning the opinion of Sunday-school teachers upon this subject?—Yes; I have gone through written statements from, I should say, about 120 Sunday schools in Lancashire and Yorkshire, and the districts around, all of which expressed opinions strongly in favour of this Bill. I had those papers, but as they only expressed opinions in favour of the Bill, I did not bring them with me. I thought that facts were what were absolutely needed, but those papers have all stated a strong opinion with the exception of one, by the superintendent of a Baptist school in Nottingham, I think it was, but I am not quite sure, who expressed himself as being in favour of this measure, if, at the same time, we closed all the clubs of the upper and middle classes. That was the sole exception.

3820. Have you any knowledge with regard to the Sunday scholars themselves attending public-houses on Sunday evening, and of any effect produced upon them?—Yes; I have seen that myself. I have known Sunday scholars attending public-houses on Sunday evening, and I have known that it has had evil effects upon them, and that it has been the beginning of drinking habits, and has led them away from that sobriety and industry which we should have been desirous of seeing promoted.

3821. Do you know what is the opinion of the women of the working classes generally with regard to the desirableness of closing the public-houses on Sunday?—The great majority would be strongly in favour of closing the public-houses.

3822. Do you speak of that merely as an inference, or do you speak of that from what you yourself have actually heard?—From what I have actually heard in my ministry amongst the poor; I have frequently heard them expressing that wish, and even stronger wishes than that.

3823. Do you believe that there is a general wish among the wives of the working classes in favour of this Bill?—Yes; I cannot say that I

have discussed this Bill with them; it is the total closing to which I refer.

3824. Do you believe that it would conduce much to the comfort of the women, and to the good clothing, feeding, and education of the children of the working classes, if this Bill were passed?—I do.

3825. Mr. Hibbert.] Have you given any evidence with respect to the attractions which there are in some of the public-houses of Manchester on Sunday evening?—No; I have not been asked anything about that, but I do know of the music that they have in various places on Sunday evening in the public-houses.

3826. Can you state to the Committee any particulars with respect to that?—I have known of their having organs, and having sacred music on Sunday evening. I have known, also, of rooms where they have a piano, and a variety of other musical instruments, and where singing goes on on Sunday evening. I have seen an advertisement in a public-house in Deansgate, which struck me, I remember, at the time; it was an announcement that there was a free-and-easy on certain nights in the week, on Tuesday, Wednesday, and Saturday, and, on Sunday evenings, sacred music.

3827. At what time in the evening do these amusements generally commence?—Generally you find that the music would begin somewhere about eight o'clock in the evening.

3828. Up to what time?—Up till closing time.

3829. And do you know what kind of people generally visit those places; are they young people?—I have seen in some houses young people; indeed I have known that that is the time when the Sunday scholars of whom I have been speaking have been tempted in that way.

3830. Do you know whether the magistrates ever attempt in any way to interfere with those houses?—I do not think they do. There is nothing illegal in having music on Sunday that I know of; I know that it is so in London.

3831. In the metropolis they are compelled to have a license?—Yes, I believe they are, and now also it is the case in Leeds; but I think that in other places it is legal without a license.

3832. Do you know whether those places extensively prevail where this kind of attraction is afforded?—I do not think they prevail very extensively; they are to be met with in certain districts, which are generally the worst districts in the town; but it is not a very common thing I should say.

3833. Do you suppose that if the houses were closed at an earlier hour, that would tend to get rid of some of the objections of those places?—Decidedly it would.

3834. Do you know whether there is much drinking going on in those places where there is music?—I should not like to express an opinion; you generally see drinks on the table. I believe they do not charge for admission; people pay by taking refreshments as a general rule.

3835. Do they have refreshment tickets?—No, that would not be legal.

3836. Mr. Locke.] But what they require to take out in refreshments is a very small sum?—Yes; it need not be much, something like 2d. or 3d.

3837. They go there principally for the music, and not for the drinking?—I think they do. I think I may say that if the idea of drinking could be separated from amusement, and if that feeling could be introduced more amongst us, it would be a very great blessing indeed.

Monday, 18th May 1868.

MEMBERS PRESENT:

Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Knatchbull-Hugessen.

Mr. Locke.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

Mr. JOHN SMITH ELDRIDGE, was called in; and Examined.

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3838. Mr. John Abel Smith.] You are Clerk to the Magistrates of Southampton, are you not?—I am, and have been so for 25 years.

3839. Have you not a local Act at Southampton?—Yes, we have one passed in 1844.

3840. Is that in any way restrictive on Sunday drinking?—It is.

3841. Will you point out to the Committee in what way?—By the 326th section of the Act passed in 1844, called the Southampton Improvement Act, it is provided "That no licensed victualler or other person shall open his house within the limits of this Act, for the sale of wine, spirits, beer, or other fermented or distilled liquors, or permit the same to be sold, drunk, or consumed therein on Sundays, Christmas Day, Good Friday, or any day appointed for a public fast or thanksgiving before the hour of one in the afternoon, under a penalty not exceeding 5*l.* for each offence, provided that nothing herein contained shall extend to prevent refreshment to travellers."

3842. Did that continue in full operation until the general Act of 1848?—It did.

3843. And then the Act of 1848 in its general provisions overruled the local Act?—Yes.

3844. Has the working of the Acts of 1844 and 1848, been useful in Southampton by the production and increase of good order?—I should say it had.

3845. Was there any resistance offered to the Act?—None whatever.

3846. Did you adopt the Act of 1864?—We adopted the Act of 1864, on the 17th of May 1865, by a unanimous vote of the council.

3847. Were there very stringent provisions in your own local Act of 1844, with regard to Sunday trading?—There is also a clause in that Act, the 327th clause, which enacts, "That if any person shall, within the limits of this Act, keep open for the sale of any goods whatever, any shop or other building, or sell or expose for sale any goods whatever on the Lord's Day commonly called Sunday, except such goods as may now be sold on that day, he shall, on being convicted thereof before any justice, forfeit and pay for the first offence any sum not less than 5*s.* nor more than 20*s.*, and for the second and every subsequent offence any sum not less than 20*s.* 0.69.

nor more than 5*l.*, as the justice before whom any such person shall be convicted shall adjudge."

3848. There has been a very considerable restriction both with regard to drinking, and with regard to Sunday trading in Southampton?—Very considerable, particularly as to Sunday trading.

3849. Are you in favour of that restrictive policy?—I think so, certainly.

3850. You think that past restriction has worked usefully?—I am quite sure it has.

3851. Have you read the Bill which is referred to this Committee?—Yes, I have.

3852. Are you aware generally of the provisions of the Bill which are to prevent all drinking on the premises during Sunday, and only opening the houses for the sale of beer or spirits across the counter from half-past 12 to half-past 2, and from 8 to 10?—Yes.

3853. Are you in favour of such a provision as that?—I am.

3854. Southampton is a town with a very fluctuating population, and one rather unruly, is it not, at times?—We are a seaport town at which the boats start and arrive, and there are a great many sailors on their homeward voyage who will indulge sometimes.

3855. Have you found that those restrictions have worked usefully for the peace and quiet of the town?—Yes, certainly, since 1864, drunkenness has been on the decrease, all the houses being closed at one o'clock in the morning, whereas before that time they were open the whole night.

3856. You have found that the Closing Act, Sir George Grey's Act of 1864, has been productive of great benefit?—Very great benefit.

3857. Before that, persons remained drinking all night, did they not?—Yes; and unfortunate girls of the town were seen wandering about all night in the town, whereas now they have no place to resort to, and the streets are quite quiet and clear after one o'clock. There certainly is a very marked improvement in that respect.

3858. With regard to the general feeling of the population with respect to drinking on the Sunday, do you believe that there is any improvement in the feelings and opinions of the working men on that subject?—I gather from the superintendent

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tendent of police that some portion of the working community would gladly avail themselves of closing; but there are some who certainly would be glad to see the houses closed.

3859. Do you know which would be the majority?—I do not.

3860. Are any public-houses closed now voluntarily in Southampton on Sunday?—I do not think there is one, but I have had an opportunity of speaking on licensing days to publicans about it, and I think that some of them would gladly close on Sunday altogether, were it a general measure; that is what I gather from those whom I have had an opportunity of speaking to.

3861. Are the magistrates in favour of a restrictive policy on Sunday?—I think the majority would be; I do not say that all would.

3862. *Chairman.*] Have you reason to believe that the majority would?—I have reason to believe that the majority would.

3863. How have you reason to believe that?—I have spoken to them on the subject.

3864. Are you prepared to say that more than half of them have expressed an opinion in favour of further restriction on Sunday?—I think they would, those that I have spoken to about it.

3865. Are you prepared to say that a majority would?—We have 30 and odd magistrates, but they do not all attend the bench.

3866. How do you know that the majority are of that opinion?—From those whom I have spoken to on the subject. I do not allude to those who do not attend the bench; perhaps we do not muster above six or seven in a day.

3867. *Mr. Roebuck.*] Then the majority would consist of four?—Exactly so.

3868. *Mr. John Abel Smith.*] Have you any statistics as to the increase or diminution of drinking, and drinking with violence, in Southampton?—No, I have not.

3869. Do you believe that there is more drinking on the Sunday than on other days?—I think there is.

3870. Do you know anything as regards the drinking cases on Monday, as compared with other days?—There are more.

3871. That is taken from, what o'clock on Saturday night?—After the rising of the bench on Saturday till Monday, that would be the time.

3872. *Mr. Roebuck.*] When do they rise?—It is according to the amount of business; but they generally rise about two o'clock in the afternoon.

3873. *Mr. John Abel Smith.*] Those cases will go from two o'clock on Saturday afternoon until Monday morning?—Monday morning at 11.

3874. You do not know the comparative number?—No, I do not.

3875. Do you believe that if such a Bill as has been referred to this Committee were carried, there would be any disorder or confusion or public resistance to it in Southampton?—I think not.

3876. *Mr. Hibbert.*] Have you many cases brought before the bench for an infringement of the present law on the Sunday?—We had several.

3877. Are they for selling drink in prohibited hours?—Yes.

3878. Do you know whether there is much private drinking going on during the prohibited hours on Sunday, of beer which has been got from a public-house?—Yes; the beer is got in

this way, that although the police may be vigilant a man is set to watch the premises, and to get the beer when the police are not looking on.

3879. Do you anticipate from that, that in case this Bill were to become law, you would have any great difficulty in watching the public-houses, supposing they were closed the whole of the day, with the exception of four hours?—No, I do not.

3880. Is there any illicit drinking carried on on Sunday in houses, which are not licensed?—No, I do not think there is; we have not had any information of that sort.

3881. Do you think that it would be more desirable to adopt this Bill than to carry out a further restriction in the present law?—Further restriction, I think, would be desirable.

3882. You think that further restriction of the present law would be better than adopting the proposed Bill?—I think so; the more restriction, I think, the less drunkenness there is.

3883. Do you mean by further restriction of the present law, a restriction which would allow public-houses to be open, both for sale and consumption on the premises and off the premises, during certain hours of the day?—I think they should be open to enable the labouring classes to obtain what they call their dinner and supper beer.

3884. Do you mean by that that houses should be open for them to go into the house and consume liquors on the premises?—No, I think I should have it off the premises.

3885. The question I put to you was, whether you think it better to have the restrictions of the present law carried further, or whether you would approve of the restrictions of this Bill?—The restriction of consuming it off the premises, I think, would be the best, so that a man should take it home and enjoy it with his wife and family.

3886. Do you know when the greatest number of drinking cases occur on Sunday, in what period of the day generally?—There are men brought in at all hours of the day. I could not tell exactly at what time most come in, but I can carry it in my mind from the police sheet; the hour is entered when a man is brought in, and my recollection would be that they are brought in at different times in the day, morning, evening, and night.

3887. Do not you know whether there is a greater number at the later hours in the day between 8 or 9 and 11?—No, I could not say that.

3888. *Mr. Locke.*] You seem to think that it would be right to close public-houses altogether on Sunday for consumption on the premises?—Yes, except for travellers and lodgers, as contemplated by the proposed Bill.

3889. Supposing a person is living in Southampton, may he not want to go into a public-house and take his dinner?—I do not see why he should if he is living in the town.

3890. Supposing he were living in lodgings?—He could get it at home. He could dine at his lodging as well as he could dine out.

3891. Supposing he has nobody to cook his dinner, what then?—Then he must go out.

3892. Would not it be inconvenient to such a man if he could not go into a public-house in such a case?—I think that would be an inconvenience.

3893. But you never thought of that?—No, I never thought of that. I thought that he might get his dinner at home.

3894. Could

3894. Could you guess how many of that class of people there are in Southampton?—I could not.

3895. You never formed an idea of it?—Never.

3896. You never gave those people the slightest consideration?—I never thought of them.

3897. All you have thought of is the dinner and supper beer of the working classes?—Yes.

3898. Do you think that they all dine between 1 and half-past 2, and that they all sup between 8 and 10?—I think the labouring class would.

3899. Are you quite sure that they do?—Not quite sure, but I think that is the general hour.

3900. You have never given that any consideration?—As a general rule, the hours would be between 1 and 2, and between 8 and 10.

3901. Is it a general rule that working men are obliged to dine between 1 and 2, and sup between 8 and 10?—There is no obligation upon their part that I know of.

3902. For aught you know, they do not?—For aught I know they do not.

3903. Then whether it would be an inconvenience to them or not you cannot say?—No.

3904. You have stated that beer is obtained now in prohibited hours?—It is so.

3905. Can you state to what extent?—No, I cannot.

3906. Supposing there was a greater number of prohibited hours, would it not naturally follow that more beer would be obtained during those hours?—I think that a certain class of men would endeavour to get it certainly if they wanted it.

3907. That is the case with human nature generally, is it not, to get what you want if you can?—Some drink more than others.

3908. Some people want more beer than others?—Yes, they want more.

3909. Do you think it is right, if a man wants beer, that he should not have it?—At proper times, I think.

3910. What do you consider proper times?—At reasonable hours.

3911. What do you consider reasonable hours?—Between 8 and 10.

3912. What makes between 8 and 10 more reasonable hours than between 5 and 11?—That is supposed to be the supper hour, I think; I think the labouring class generally retire to rest about 10 o'clock.

3913. Would not it be a very unpleasant thing for yourself if there were legislation, and a body of persons were to say what they considered to be your reasonable hour for dining, and were to make laws, so that you should never get drink at any other time than that reasonable hour?—I do not think I should like that, I must say.

3914. You have never stopped to inquire whether those people would like it?—I say that some would not like it, I think.

3915. And yet you say that you do not know how many people there are who would not like to have this law passed, and yet they would take it quite quietly, and would be highly delighted with the legislation?—I gather from the superintendent of police that there are some who would gladly accept it.

3916. Do you think that the superintendent of police is a very good exponent of the feelings of the working classes?—I do not know; he mixes a good deal with them; perhaps he may not be; but that is where I get my information.

3917. You do not get it from the working classes themselves?—No.

3918. You have not inquired of the working classes?—No.

3919. Your information is derived from the superintendent of police?—It is so.

3920. You say that drunkenness is on the decrease at Southampton?—Yes, since 1864.

3921. The Act of 1864 closed the public-houses at 1 o'clock in the morning?—Yes.

3922. That has caused a decrease?—Yes.

3923. But that has nothing particularly to do with Sunday?—Not much; it has acted beneficially.

3924. Do you think that besides the operation of that Act, persons have less inclination to be drunken now than they used to have?—I think they have; decidedly I think that is the case.

3925. When you find everything going on well, a decrease in drunkenness, and people being less disposed to get drunk than they used to be, do not you think it is rather a dangerous thing to come in with a law, to tell people that they shall not do a thing which they are not doing to a very great extent now?—That I am not prepared to say.

3926. Do not you think that it very often happens that when you tell a man he shall not do a thing, he becomes determined that he will do it?—I think there are many who do that.

3927. That is human nature, is it not?—I think it is.

3928. People do not like sumptuary laws or being dragooned into doing what other people think they ought to do?—That is so.

3929. They like to judge for themselves?—Yes.

3930. That is the feeling of Englishmen, is it not?—That is so.

3931. And of late years we have adopted that course of legislation, I believe, in this country?—I believe we have.

3932. Now we are beginning to take a leaf out of the book of America, in these sort of things, the Maine Liquor Law, for instance, and try this American experiment upon English people; has not that been the view of a great number of persons in this country?—I have heard it said so.

3933. In point of fact it is so; and are you aware of the result of those sobriety laws in America?—No, I am not.

3934. You do not know how they have worked there?—No, I do not.

3935. You are not aware that they have been entirely upset in a great many of the States, and that the people would not submit to them?—No, I am not aware of that.

3936. *Chairman.* There is a large floating population in Southampton, I think you have mentioned, of sailors, and so on, men who are there for a short time, and are not your permanent inhabitants?—Yes.

3937. How would this Bill bear upon them, supposing those strangers wanted to get refreshment on Sunday, and under the provisions of this Bill they were not allowed to buy liquor and consume it upon the premises of the public-houses; how would they get their beer or liquor

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at all; for instance, take the case of sailors on board ships, coming on shore, how would they be able to get any drink on Sunday under the provisions of this Bill?—They would not, except during the hours when the public-houses would be open for them to do it.

3938. They would not be allowed to drink on the premises, and they would not be allowed to drink it on board the ships, would they?—I do not know that they would not be allowed to take it on board ships.

3939. I suppose that sailors are not allowed to take drink on board ships generally?—I do not know. I think that in the mercantile shipping they would be allowed to do it. I do not think there is any objection to it. There are a great many colliers who, I do not think, would object to taking liquor on board.

3940. Supposing the crew of one of the men-of-war in the river were allowed to come on shore for a holiday, they would not be allowed to get drink at all?—Perhaps they would be travellers under the meaning of the Act, coming from their ships to the shore.

3941. Colonel *Fane*.] Would they be allowed to take drink within the dock-gates?—Yes, I think they would.

3942. Take the Peninsular and Oriental Company's vessels, for instance, would they be allowed to take drink on board them?—I do not think they would be allowed to do so on board one of the Peninsular and Oriental Company's vessels, but they would on board the colliers.

3943. Not within the dock-gates; would not the gate-porter stop any one from going in with beer?—I am not aware of that.

3944. *Chairman*.] There is always a man-of-war in the river, is there not?—Yes.

3945. Supposing what they call the liberty men from that man-of-war in the river went on shore, as sailors do, if they wanted to go and have some drink, they would not be able to get any, would they?—I do not think they would, unless they could be considered as travellers from the vessel to the shore. Although the clerk to the magistrates, I could not define whether it might be done or not. It is a very open question at this moment.

3946. Then it would depend upon the condition of their residence in or about Southampton, whether this relaxation of the four hours during Sunday would be of any use to them or not?—It would.

3947. Did I correctly understand you to say, in answer to an Honourable Member, that you would like to have some additional restriction, even if you could not get as much as this Bill?—I think so.

3948. Do you think that it would be a great gain over the present law, if the public-houses were only opened for four hours for drink to be consumed either on or off the premises?—I think it would perhaps, so far.

3949. That would be fair to everybody, would it not?—It would be so, I think.

3950. Mr. *Roebuck*.] How long have you been the magistrates' clerk at Southampton?—Twenty-five years.

3951. How many times a week do the magistrates sit?—Every day at 11 o'clock.

3952. For the town and county of Southampton?—Yes; for the town and county only.

3953. Are they at all connected with the

borough magistrates?—Those are the borough magistrates.

3954. Then, from its being a county, you are not the town clerk?—Precisely. Southampton is a borough and county of itself.

3955. During the whole of those 25 years, have you seen any great change in the habits and manners of the people of Southampton?—Yes; for the better.

3956. They have grown now, I should hope, from what you say, a well-to-do, well-behaved, well-mannered, and well-conducted population?—They are much better than they were, and they are improving, I think, from year to year.

3957. We do not expect perfection, of course, but should you not say of your town that it is really a well-conducted, orderly, and comfortable place?—It is a very well-conducted town, indeed.

3958. Under the present law?—Yes, as we now stand. Our local improvement Act assists us a great deal in that direction; by that Act all Sunday trading was done away with, and there has been another regulation to the effect that no flies shall be allowed to ply on hire in the streets on that day.

3959. So that if I, being a lame man, were down at one end of the town of Southampton, I could not get to the other?—There are flies frequenting the railway stations, and by sending to the different mews flies can be had.

3960. I could hire a fly at the mews, but I could not find one in the street?—That is so.

3961. Why is that discrimination made by your local Act?—I cannot say why, but it is the fact.

3962. Could they be had from the mews at cab fares?—I think not. I think that if sent for from the mews, the cabman generally charges for a private carriage.

3963. So that if I, being a lame man, and, being a poor man, had a very great necessity of going from one end of the town to the other, I could not go unless I walked?—No; you could not.

3964. Do you think that was a wise regulation?—I do not say that; I say that it keeps the town quiet; there is no rattling about of flies on Sunday.

3965. Do you not know that good may sometimes be counterbalanced by evil?—I think it may.

3966. I want to know whether you think that a wise regulation?—I really cannot say whether it is or is not; it was passed, and so it has been worked ever since.

3967. Do you always adhere to what is passed, because if you do, why do you not adhere to the present law; I think I may take it from you that the present state of the town on Sunday is a highly decorous state?—It is so.

3968. What good do you expect to follow from increasing the restriction?—There are cases of drunkenness still.

3969. Do you think that that would put an end to all cases of drunkenness?—I think the more the restriction, the less the drunkenness.

3970. Do you think that because restriction up to a certain point has done good, therefore further restriction must necessarily do good?—I do think so.

3971. Then would it not be good to prohibit drinking altogether?—No, I do not think it would; men must have some relaxation.

3972. How

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3972. How do you make that agree with your former proposition?—I say this, that restriction at the present moment has tended to decrease drunkenness; and then I say that further restriction, I think, would produce still greater good.

3973. I want you to explain to me why you think so; I put this question to you, and you say that further restriction would do good because it is restriction; then I ask you if there were complete restriction, do you think that that would be a good thing?—I do not think it would.

3974. I come back to my first question; how do you make that agree with the proposition that further restriction must of necessity do you good?—Because restriction has hitherto tended to do good.

3975. Then to pursue that argument, further restriction must do good because past restriction has done so; then the necessary consequence is that perfect restriction would be better still?—I do not go quite so far as that.

3976. You do not come to that conclusion?—I do not.

3977. So far then we may conclude that your logic is rather bad?—Perhaps it may be.

3978. Supposing you have this restriction that you ask for, do not you think that there would be illicit drinking?—I think some people would endeavour to get it.

3979. Would not that involve increased inspection?—I think it would.

3980. Would not that involve a prying disposition on the part of the police to look into private houses?—Yes; to endeavour to detect it.

3981. Do you think that that would be agreeable?—I do not think it would be agreeable.

3982. That is one of the consequences of this Act, that it would not be agreeable to the people of Southampton?—I do not think that the prying system would be agreeable.

3983. But you say that the prying system is a necessary consequence of this Bill?—To detect crime it would.

3984. And therefore I say that as one of the consequences of this Bill it would not be agreeable to the people of Southampton?—That might be so.

3985. Having been occupied in the administration of the law for so many years of your life, did you ever consider that there was an evil in over-legislation?—No; I cannot say that I did.

3986. You never considered that at all?—No.

3987. Do you think that you are competent to give advice to the Legislature unless you have considered this important question?—I only give you my evidence of facts.

3988. That being the state of your mind about legislation, I need not ask you whether you have considered that what is called a paternal government, looking at the habits of the people and the way in which they pass their time in their own houses, is a great mischief?—I never thought of that.

3989. And you do not know anything of the experience of the American people from their blessed Maine Liquor Law, do you?—I do not.

3990. You have not seen the remarkable document that has been figuring in all the papers lately, namely, the report of our consul at Massachusetts, have you?—No.

3991. Mr. Yorke.] I understand you to say that you are not an advocate of restriction for its own sake?—No.

3992. If you saw any other way of improving

the state of the population than restriction, you would prefer to adopt it, would you not?—I think it would do as well.

3993. For instance, supposing any other attractions could be offered to the people on the Sunday which would divide their attention with the public-houses, would you prefer that to prohibiting their drinking in the public-houses?—I think the prohibiting would do more good.

3994. You would prefer that for instance to providing them with a park in which they could walk on Sundays?—We have parks.

3995. What provisions of that sort are there in Southampton?—There are very excellent parks indeed; I think there is more than 60 acres of park ground, and there is a beautiful common near Southampton.

3996. Are they much used by the population?—Yes; I think they are.

3997. How long have they been established?—Southampton Common has been in existence some hundreds of years, and the parks have been laid out within the last 10 or 15 years.

3998. Do you attribute any part of the improvement which has taken place in the population to the establishment of those parks?—No, I think not; I think they are a different class of men altogether that frequent the parks.

3999. What is the class of men who frequent the parks?—All classes.

4000. If they are all classes, I presume they would include a proportion of that class who are in the habit of frequenting public-houses?—They would.

4001. Then to that extent they have done good?—They seem to be very much enjoyed by the public.

4002. If you could devise some means of increasing the attractions of the parks or opening other places where the public could go, would you not prefer that to increasing the restriction which already exists?—I should go in for restriction, I think.

4003. Mr. Evans.] Do you think that any good object would be attained by closing the public-houses on Sunday at 10 instead of 11 in the evening?—No, I think not.

4004. Did I rightly understand you to say that persons take their meals at public-houses in Southampton?—I do not know; I could not say.

4005. Do many persons in Southampton go on excursions?—None, I think; there are no excursions, I think.

4006. Mr. Roebuck.] Are there no excursion steamers to the Isle of Wight?—No; I do not know of any.

4007. Mr. Evans.] Are there no excursion trains?—No, not now, nor excursion steamers.

4008. Then people who go on an excursion, either drive or walk?—Yes.

4009. Mr. John Abel Smith.] Do you recollect the passing of Mr. Wilson Patten's Bill in 1854?—No.

4010. Then you are probably not aware of the provisions of that Bill?—No.

4011. I suppose that I am accurately stating your opinions when I say that I collect from your evidence that you think that restriction at Southampton has worked usefully and well, and that further restriction might be advantageously resorted to?—I think it might.

4012. I suppose I may also collect your opinion to be that restriction could not be carried so far,

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as to be intolerable in its provisions, with any consideration for the peace and convenience of the people?—I do not think it could.

4013. Mr. *Roebuck*.] Can you tell me the what is the population of Southampton?—I think as far as I can recollect, it is about 50,000.

4014. You do not include in that, what you call the floating population, the seamen who come into the port, do you?—No; I could not do that.

4015. Could you form any idea what that floating population amounts to?—I do not think it would be very great, for this reason, that the sailors in the ships are resident in the town.

4016. Have you any idea what this floating population, that comes in and out on shore, amounts to?—No, I have not.

4017. I suppose it is rather large at South-

ampton, as it is a seaport town?—There are a great many.

4018. Mr. *John Abel Smith*.] What do you call a large number?—I do not know the number, but there are a great many yachts in the rivers.

4019. Are there a thousand, do you think?—Yes, more than that; because there are the sailors in the large ships, and there is a very great deal of shipping there.

4020. Mr. *Roebuck*.] Then all those persons would, to a certain extent, be inconvenienced by this Bill?—Many would be inconvenienced by it.

4021. In your adoption of this Bill, have you ever taken into consideration that one item of inconvenience?—No.

JAMES BARLOW, Esq., called in; and Examined.

J. Barlow,
Esq.

4022. Mr. *John Abel Smith*.] YOU are the Mayor of Bolton in Lancashire, are you not?—Yes.

4023. What is the population of Bolton?—76,000.

4024. Has there been any evidence of the feeling of Bolton, in favour of the Sunday closing, recently?—Yes.

4025. Will you state what has occurred?—For many years there have been large public meetings held upon the subject; from 2,000 to 3,000 have generally assembled, and the votes have been almost unanimous regularly.

4026. Has there been any canvass of the town lately?—Yes.

4027. Can you put it in?—Yes; I have it with me.

4028. Will you state to the Committee what the result has been?—The town was canvassed; 10,000 papers were left at the ratepayers' dwellings, with certain questions, of which the first was this: "Are you in favour of closing public-houses and beerhouses during the whole of Sunday;" and in reply, 6,377 men in favour of it, 1,783 answered No, and 1,557 were neutral. The total number of papers returned were 9,717.

4029. To whom were those papers issued?—To the householders all over the town.

4030. Do you know how many householders there are in the town?—I am not prepared to state exactly, but some 15,000 to 16,000.

4031. Ought the number at any public meeting of the town to be taken as a test of the truth or accuracy of the opinion of the town?—Yes; as the public papers stated, there were 3,000 persons present.

4032. Who was in the chair?—The ex-mayor, Alderman Fergusson.

4033. Was it called by you, as mayor, or how was it called?—It was called by the committee who made the canvass.

4034. Was there a resolution as to the accuracy of that canvass?—Yes.

4035. What was the public opinion that was expressed thereupon?—That it was an accurate canvass, and that it represented the public feeling of Bolton.

4036. Do you believe that that public meeting fairly expressed the feelings of the town?—I do.

4037. Do you believe that the working men of Bolton as a whole, are largely in favour of

increased restrictions on Sunday drinking?—I do.

4038. Why do you believe so?—I have had very large intercourse with working men for more than 20 years, both as a large employer and mixing freely with them in various ways.

4039. And that is your conclusion?—Yes.

4040. Are you a large employer of labour yourself?—I am.

4041. How many men do you employ?—Over 1,000.

4042. Are you conversant with their opinions generally?—I am.

4043. Do you see them constantly?—I have constant communication with them, day by day.

4044. Do you collect from them that their opinions would be in favour of further restriction on Sunday drinking?—I do.

4045. Do you know the provisions of the Bill which is referred to this Committee?—Yes.

4046. Do you think that there would be any disorder or confusion, or resistance of the law if such a Bill as this became a law?—I do not.

4047. Do you know anything as Mayor of Bolton, of the amount of Sunday drinking?—I know it is very large; taking the average of several years, the cases of drunkenness are more than double on Monday.

4048. That includes the Saturday drinking as well as the Sunday drinking, does it not?—It includes the Saturday evening as well as the Sunday.

4049. Do the magistrates of Bolton sit every day?—No; they sit Monday, Thursday, and Saturday.

4050. And the Monday charges are more numerous you say, than those on Thursday or Saturday?—Very much more numerous; in fact, we have had several instances in which every case has been drunk, drunk and disorderly, and drunk and incapable, on Monday.

4051. Are the cases of drunkenness with violence more numerous or less numerous than they were within these last few years; are they increasing or decreasing?—I am scarcely prepared to say that; I should not say that they were increasing.

4052. You think that upon the whole the habits of the population are improving?—I do.

4053. Do you attribute that at all to the existing restrictions on Sunday drinking?—I have no doubt that that has its effect, but I think there are other causes in addition to that.

4054. What

4054. What causes do you refer to?—General efforts in the way of education, and other matters.

4055. Education has improved very much, has it not, within your recollection?—It has.

4056. Are there any means of recreation or amusement open to the people of Bolton on Sunday?—Yes, the parks are open.

4057. Are there excursion trains on Sunday?—During the summer season there are cheap trains on Saturdays, returning on Sunday evening.

4058. Are they numerously used?—Yes, they are.

4059. At what hour do those people return to Bolton?—They generally return from 9 to 10 o'clock; sometimes later.

4060. If they closed the public-houses at 10 o'clock for the purchase of beer across the counter, would that be any serious inconvenience to the excursionists of Bolton?—I think not.

4061. Do they generally take their provisions with them, or do they buy their food when they go out?—Many working people take their provisions with them in small baskets.

4062. Containing drink as well as food?—Yes.

4063. As Mayor of Bolton, which is a very important manufacturing town, you consider that you are doing what is right by those around you, if you lend yourself to an extension of the existing restrictions on Sunday?—I think so.

4064. Generally speaking, do you believe that restriction on drinking is followed by an increase of temperance?—Yes.

4065. Therefore you are in favour of the principle of restriction, and wish to see it carried still further?—I do.

4066. Those opinions in the town of Bolton are carried a long way, are they not; there was a very large manifestation of opinion in reference to Mr. Somes' Bill, was there not?—Yet, there was.

4067. How many people petitioned then?—I am not prepared with statistics, but very large petitions were sent from the town, and from the various churches and chapels in favour of it.

4068. Do you recollect Mr. Wilson Patten's Act in 1854?—Yes.

4069. Do you know that it was in operation from August one year to August the next year?—Yes.

4070. Do you know how it acted in Bolton?—I am not prepared with statistics, but it was considered to act beneficially generally.

4071. Did you view its removal with regret?—Yes.

4072. Do you believe that the provisions of the Bill before the Committee would entail any inconvenience to any great extent upon the people of Bolton?—I should not consider that it would produce any serious inconvenience.

4073. Is there much illicit drinking at Bolton?—There is a little, but not to any large extent.

4074. Do you believe that if there was further restriction, that illicit drinking would be carried on to any noticeable extent?—I have no doubt that it might increase a little, but I do not think it would be very serious.

4075. Have you music in your public-houses on the Sunday at Bolton?—I think there is in several.

4076. You have no local Act which prevents it?—No, I believe not.

0.69.

4077. Mr. *Hibbert*.] You say that you think Mr. Wilson Patten's Act worked satisfactorily in Bolton?—It was considered so.

4078. I suppose you know that that allowed drinking to take place on the premises as well as off?—Yes.

4079. Do you remember what the hours were that the houses were open under that Act?—I do not remember it exactly, but I think from 1 to 2; there was an interval, if I remember rightly, but I have not refreshed my memory.

4080. They were open from half-past 12 to half-past 2, and then closed until 6 o'clock, and then open from 6 till 10?—Yes, I think that was it.

4081. Do you not think that if there ought to be further restrictions placed upon the drinking habits of the people, it would be a wise thing to go back to something like a restriction of that kind, instead of the one proposed by this Bill?—If you ask my personal opinion, I should say they should be closed the whole Sabbath.

4082. You would prefer total closing?—Yes, I should prefer total closing.

4083. Would you prefer total closing to this Bill now before the Committee?—I should, personally.

4084. But as a matter of convenience connected with the different classes of the people, do not you think it would be better, if we are to have a restriction, that it should be a restriction which will not act with any great inconvenience to the people, and will allow public-houses to be open during certain hours, both for drinking on the premises and off the premises?—If you ask my personal opinion, I should say that parties who would drink on the Sabbath should get it on Saturday evening and bottle it up.

4085. Do not you think that when we come to make a change, however desirable the change may be, it is a pity to make a change which might cause a reaction of public feeling against restriction altogether?—As far as Bolton is concerned, I do not think that we should have any reaction of the kind.

4086. Supposing this Bill were allowed to be adopted in a permissive form by the different local authorities, do you think it would be adopted in a place like Bolton without any inconvenience?—I think so. If the permissive principle was adopted, I have no doubt we should adopt it in Bolton, and, personally, I should favour that principle.

4087. You would prefer that it should be left to be adopted or otherwise by the different localities?—I would personally.

4088. Colonel *Fane*.] You are aware that this Bill proposes to close public-houses in the country altogether for drinking on the premises, except for travellers?—Yes, for liquor to be drunk on the premises.

4089. You spoke of the very large number of excursionists that go out of Bolton on Sunday? do you not think it would be a great inconvenience to those people going out into the country not being able to get a glass of beer when they got there?—I think it might be an inconvenience to them, but I understand that this Bill provides for travellers, and I should look upon those persons as travellers.

4090. You are, no doubt, aware that that is a vexed question?—Yes, I am.

4091. Mr. *Locke*.] You say that there are

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76,000 inhabitants in Bolton; that is including men, women, and children?—Yes.

4092. And 14,000 householders, do you think?—I am not prepared with statistics, but I should say there were 12,000 or 13,000 householders.

4093. With regard to the paper which was sent round, and to which signatures were obtained, who were the persons who signed it?—Householders; the master of the house.

4094. Only the master of the house?—Only the master of the house.

4095. No women?—I believe not.

4096. Are you sure?—I am not prepared to say, but the paper was addressed to the householders.

4097. But how many persons in the house signed?—Only one in a house.

4098. You are quite sure of that?—I am quite sure of it.

4099. Then you say that about half of the householders in the town, or rather less than half, signed it?—More than 8,000 signed it.

4100. Six thousand three hundred and seventy-seven signed in favour of total closing?—Yes.

4101. That would be not quite half?—I have no statistics, therefore it is simply guess work, but I think it was more than half.

4102. Have you ever seen the paper which was signed?—There were separate papers, and this is the form of paper (*handing the same to the honourable Member*).

4103. I mean, have you seen the signatures; there were different papers sent round, were there not?—No, that one was sent to each dwelling-house.

4104. And those were collected?—Yes.

4105. And have you seen the papers which were the produce of this house-to-house visitation?—I have not seen them personally.

4106. There was some dispute about their accuracy, was there not?—I am not aware that there was.

4107. You say that there was a resolution come to at the meeting; somebody must have disputed the accuracy of the return in order to make it necessary to put it to the vote whether it was right or whether it was wrong?—I have a certificate here from the parties who superintended it, stating that it is a correct return; and any person who disputed it was invited to go and see the papers.

4108. You say it was not challenged, but will you let us have exactly what was said at the meeting?—I cannot lay my hands upon it now, but here is a report of the public meeting where the statistics were read over, and it was said how they were obtained, and the number and the classification of the parties signing, and which was as follows: Of the professions, 170 said "Yes," and 10 "No;" of tradesmen, 1,071 said "Yes," and 201 "No;" of the workpeople, 5,141 said "Yes," and 1,471 "No," and 5 beer-sellers declared in favour of Sunday closing, while 132 were against it.

4109. That was of course taken from the different papers that were produced?—Yes; the public meeting was simply to declare the result of the canvass to the public meeting.

4110. And somebody objected to it?—No, I am not aware of any objection.

4111. Mr. John Abel Smith.] It was done in order that it should be discussed if there was anybody who wished to dispute it?—Yes.

4112. Mr. Locke.] The phrase used was that

it was put to the vote whether it was right or whether it was wrong, as I understand you?—No.

4113. What was the truth?—The result of the canvass was given at the public meeting; that public meeting was addressed by working men exclusively as to their views upon this question, and at the meeting it was stated that if any one disputed the truthfulness of that canvass, the canvass papers were there open for their investigation.

4114. Where were they open for investigation; was it at the meeting?—At the residence of one of the parties at the committee-room, and at the meeting. People were told that they might go at any time and see them.

4115. A person, in order to ascertain the truth, would have to go into 9,657 returns?—Yes.

4116. Nobody undertook that laborious work, I suppose?—I am not aware whether they have or not.

4117. By whom was this meeting called; was it by the Alliance?—No.

4118. By whom was it called?—It was called by a committee appointed to canvass the town.

4119. Who appointed the committee to canvass the town?—I am not prepared to say.

4120. With whom did the idea of canvassing the town originate? I see there are three gentlemen's names to this paper, and there are these words, "Central Association for Stopping the Sale of Intoxicating Drinks on Sundays; Bolton Auxiliary."

4120.* Will you be kind enough to tell us what the Central Association is; where do those people carry on the association who call themselves the centre of it?—In Manchester.

4121. And that is an association for stopping the sale of intoxicating drinks on Sunday?—For furthering that object.

4122. Then there is a Bolton auxiliary to that?—Yes.

4123. Was this meeting called by them?—I believe so.

4124. Were the persons who were sent round to collect those papers persons sent round by the Bolton Auxiliary Association?—I should judge so, but I am not aware.

4125. Were you in the chair upon this occasion?—No.

4126. Were you present at the meeting?—No.

4127. I see it says, "The committee of the above association respectfully request the occupier of this house to write 'Yes' opposite to whichever of the following questions he assents to;" could all the people write who put their names to this?—I am not prepared to say, but I should think so.

4128. Probably you are not prepared to say whether they could all read?—I think the majority of them could.

4129. Not all?—I am not prepared to say that.

4130. Some of them might make a mistake. I see there are four questions here. You have not said whether anybody signed as to the fourth. "Do you authorise the Committee to put your name to a paper calling on the Members for Bolton to vote in Parliament for stopping the sale of liquors during the whole of Sunday." Did anybody answer to that?—I am not aware.

4131. They would not carry the thing as far as that; they would not sink every other consideration

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ration in the Sunday closing question; the people of Bolton have not come to that, I presume?—The whole of them would not.

4132. It appears, according to your statement, that none of them did, because nobody signed that fourth proposition?—I did not say that they did, I do not know.

4133. You have given us no account of anybody who did, and therefore, I presume, nobody did?—Those resolutions, sympathising with the movement, were passed unanimously, and the borough Members were requested to give their hearty support to this Bill in Parliament.

4134. However, there were 1,783 persons against it, and there were 1,557 who were neutral?—Yes.

4135. As to the mode in which this was got up you cannot exactly say; you were not there yourself?—I was not there myself.

4136. You do not know what took place of your own knowledge at the meeting?—No, I do not.

4137. Are you aware who the persons were who attended the meeting?—It was a public meeting.

4138. There was a platform, I presume?—Yes.

4139. And were there tickets for the platform?—No, no tickets at all.

4140. Then all the persons who went there were members of the central association, I suppose?—No, it was a public meeting; the meeting was called by placard.

4141. Have you got the placard?—I have not, but I saw it.

4142. Did the central association announce themselves on the placard?—No.

4143. Was it a public meeting called by the mayor?—No; if it had been I should have been there.

4144. Were you requested to call the meeting?—No.

4145. We were told the other day that there was a distinction between a public meeting and another ordinary meeting, and that it was considered a public meeting when it was called by the mayor of a provincial town?—We call that a town's meeting. I do not know where the distinction is.

4146. Then this was not a town's meeting?—No. We had a town's meeting in favour of Sunday closing, at which I presided; and a large requisition was got up by the public of Bolton in favour of Sunday closing altogether; the meeting was attended by nearly 3,000 people, and the resolution was all but unanimous; there were not 20 people who voted against the resolution, and that was a town's meeting.

4147. *Mr. John Abel Smith.*] In what year was that?—This year.

4148. *Mr. Locke.*] Were the central association there in a body?—No, they were not there; they had nothing whatever to do with it; it was a meeting of the ratepayers.

4149. Did they go to the meeting?—Not all; no doubt some of them did.

4150. Who was it that asked you to call it?—It was a large requisition signed by a large number of people, ratepayers.

4151. At the instance of the central association?—Not that I am aware of.

4152. Perhaps you did not inquire?—I did not inquire; I did not consider that my business. If a large number of respectable ratepayers re-

quested me to call a public meeting, I should consider it my duty, whatever my private opinions were, to call a meeting in reference to it.

4153. Whether they were the central association or anybody else, you cannot say whether they were interested in getting the meeting called?—If the publicans had asked me by a requisition to call a meeting, I should have done it.

4154. *Chairman.*] You know probably, who had the management of this movement?—I do.

4155. Are they people in whose honesty and straightforwardness you would have confidence?—I should not doubt them for a moment.

4156. So that if they told you that the thing was honestly got up, you would believe it?—I should.

4157. Are those two gentlemen, Mr. Eardley, and Mr. Stephenson, clergymen?—They are Dissenting ministers.

4158. *Mr. Roebuck.*] You have stated that the number of the whole population of Bolton is 76,000; have you any idea what the number of excursionists is out of Bolton during the fine summer months?—I cannot state the number, but they are very large.

4159. Very large every Sunday?—Yes.

4160. Do they go far out?—They principally go to Blackpool and Southport, the watering places.

4161. I gather from your evidence that you are what they call a teetotalter?—Yes, I am.

4162. And that if you were a legislator you would vote for the total prohibition of the sale of intoxicating liquor?—If I was a legislator I would not go beyond what I believed the public feeling to be.

4163. Then though you are a teetotalter yourself, you would not impose upon everybody else to be a teetotalter?—No.

4164. You would be guided by what they call public opinion?—Yes.

4165. You would not put forth Bolton as a type of public opinion in England, would you?—No, I would not.

4166. Therefore, when you talk of public opinion you only speak of the public opinion of Bolton?—Yes.

4167. I suppose you would be governed by the public opinion of Bolton, supposing you were the representative of Bolton?—Yes.

4168. Whatever your own opinion might be?—As I stated before, in answer to some other questions, that I should go for the permissive principle, and allow those towns who wish to introduce it to do so.

4169. I gather from what you said to me now, that what is called the permissive principle you agree to?—Yes.

4170. That is that the Legislature should abdicate its powers, and hand them over to each separate town?—In matters of that kind I should recommend it.

4171. That would be your idea of good legislation?—Yes, in matters of that kind.

4172. Have you ever thought of the hurley burley and the row-dow that the whole country would be in, in consequence?—I do not think that there would be anything of that kind.

4173. Then from the line of your thought I suppose your mind has been a good deal concentrated upon the doings in America upon this matter, has it not?—Yes, it has.

4174. Have you not heard it proclaimed aloud

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that the great principle of teetotalism was triumphant in Massachusetts?—I have heard that statement.

4175. And you believed it, did you not?—I believed it to a certain extent.

4176. Do you believe it now?—I believe it to a certain extent.

4177. Have you read the late reports from our authorities in Massachusetts, our Consul to the Home Government upon the working of that Act?—I have not read them all.

4178. Have you read the one that has been in all the newspapers within the last week?—I have not.

4179. You did not hear that the whole thing was a failure; that it created a system of espionage; that it troubled the people so that they rose up pretty nearly as one man against it, and it was put down; that that was the result of the legislation which you would adopt?—I have not read that, but I have travelled through Massachusetts at the same time when this was in operation.

4180. Did you ever hear of what is called the "Striped Dog"?—I did not.

4181. Did you ever go into a public-house in Massachusetts?—Yes, many.

4182. Did you ever know that people asked for liquor and were told that they could not get it?—Yes.

4183. And thereupon a man came and told them, "We have a striped dog in a room by the side, and if you will pay half-a-crown you may see it"?—I have heard of that, but I never saw it.

4184. You never tried it?—I never tried it.

4185. Did you ever hear of a friend of yours who did?—No.

4186. Those questions of mine all come to this; do you believe that, supposing you adopted your principle of legislation, there would be a good deal of evasion of the law?—I believe there would be evasion, as there is evasion of every other law which interferes with the evil habits of a large class of the community.

4187. I take it that the law against stealing is tried to be evaded?—Yes.

4188. But we do not put the case, I take it, upon the same grounds as those restrictions of excise; for example, the limit of taxation which governs the Legislature is the evasion of the law, but the evasion of the law feeling does not do so, so that you see there is a distinction between the two?—Yes.

4189. If that be the case, would you not consider the evasion of this law a moral evil?—I should.

4190. And added to the evil of drunkenness?—Yes.

4191. If, over and above drunkenness, you add *plus* the mischief arising from evasion of the law, do not you think that that would be a greater mischief?—I think it would be a mischief, but I think the prevention of drunkenness would be a great good, and that the good would preponderate over the evil.

4192. That is to say, if you could prevent drunkenness; but supposing with all your restriction you merely got evasion and not prevention, what should you say to that?—I believe that every restriction prevents drunkenness to a certain extent.

4193. That is the very point that we want to get at; you, I think, reason thus, that restriction hitherto has done good, in which I agree with you perfectly, and therefore further restriction would do good?—I believe so.

4194. That is your mode of reasoning?—Yes.

4195. I put to you the distinct question which I put to a former witness, whether, in point of fact, the total prohibition of drinking would prevent drinking altogether?—I do not think it would.

4196. But nevertheless you would be for complete prohibition?—I should be very glad to see it.

4197. You would be very glad, I suppose, if there were a good effect flowing from it, but if it could be shown that it would not produce good, you would not so far follow your hobby as then to advocate total closing, would you?—No.

4198. You say, I think, that you employ over a thousand men?—Yes, men and women.

4199. What is the general character of the body of your working people?—Their general character is that during the week they are steady and attentive to their work, but very often on a Monday morning we have a large number short, particularly of men; a considerable number during the forenoon of Monday, and many during the whole of Monday.

4200. And they are short in consequence of being tipsy on Sunday, are they?—Yes, I believe so.

4201. When do they get their wages?—On Friday.

4202. Do you find a great deal of drunkenness on Saturday?—There is a little.

4203. In the cases brought up on Monday morning, is there always a distinction between the Saturday cases and the Sunday cases?—Yes.

4204. Can you tell me the average number of cases of people drunk on Sunday?—I am not prepared to give the number.

4205. If you have not the numbers, how can you draw a comparison between the Saturday and the Sunday?—In 1866, we had 433 Sunday cases, taking Saturday night and Sunday, and 360 the whole week besides.

4206. So that the Sunday overbears the whole week in Bolton?—Yes, that is my statement.

4207. Do you believe that?—Yes.

4208. You really do?—I do.

4209. That is to say, two days in the week overbear all the other days of the week?—Those numbers are merely from Saturday night to Monday morning.

4210. Do you really believe those figures?—Yes.

4211. How are they gathered?—They are compiled by the chief constable.

4212. From what records?—From the magistrates' books.

4213. You sincerely believe that that is a true description of the drunkenness of Bolton?—Yes, I do; I beg your pardon, it is not a true description of the entire drunkenness; we do not take people up for being drunk merely, it is only when they are drunk and disorderly, or drunk and incapable.

4214. The whole population is 76,000, and during the whole 52 weeks you have had a little more than 700 cases of drunkenness before the magistrates?—Yes.

4215. And that you consider a very bad state of things?—These are simply drunk and incapable and drunk and disorderly; we do not take people up merely for being drunk.

4216. I know that, but I want to know from you whether you consider that a very horrible state of things?—I think there are towns that are much worse.

4217. You

4217. You have not answered me, but never mind about that; now let me come to another point; you have been an inhabitant of Bolton pretty nearly all your life, have you not?—For more than 20 years.

4218. Have you remarked any great change in the manners and habits of the people of Bolton in that time?—I have.

4219. And for the better?—Yes, for the better.

4220. There has been a gradual improvement in their morals, their habits and their manners?—I believe so.

4221. And this has been done under the present Legislation?—Yes.

4222. Have you ever tried, in order to improve the habits of the people to improve their education?—Yes.

4223. Can you give me any idea of what the educational power is in Bolton?—I am not prepared with statistics; but we have a large number of day schools and a very large number of Sabbath schools.

4224. Have you opened any parks for the people?—Yes.

4225. What sort of recreation can they take in that park on Sunday; is it merely walking about?—Merely walking about.

4226. Have you any music in the park?—No, not on Sunday.

4227. Have you on week days?—Yes.

4228. Do you find any mischief arising from that on week days?—No.

4229. What is your objection to having it on Sunday?—The question has never been raised with us.

4230. I suppose you know that that happens in London every Sunday pretty nearly, and that Government sanctions it?—I believe so.

4231. Though you in Bolton have never raised the question, do not you think it would be in advantage to the morals of the people to give them a perfectly harmless amusement, and good music on Sunday?—That question has never been put before the council.

4232. But you prefer going to this sort of legislation, to trying those more gentle means?—We did try opening the park; when the park was opened in the first instance, it was closed until noon on Sunday, but the matter was brought before the council, and we passed a resolution to open it the whole of Sunday.

4233. You have not answered my question; why do you prefer this stringent legislation to the more merciful mode of providing cheerful amusements for the people on Sunday; that I suppose never suggested itself to you as a means of preventing drunkenness?—I have heard it suggested.

4234. But you do not adopt it?—No.

4235. But you would rather adopt this stringent legislation than the more mild and merciful mode of giving good music to the people on Sunday?—I would rather give good music in church than in the park.

4236. But you would not suppose that the people should be in church all day?—No.

4237. They have a great number of leisure hours on Sunday, have they not?—Yes.

4238. Do you think that while they are walking about in the park with their wives and families they could enjoy it better than by listening to the great efforts of human genius, in the shape of fine music?—I believe it is a great

benefit to them to walk in the park, and I should say that I voted in favour of opening the park the whole of Sunday, but if your question is with regard to providing music in the park, I should vote against it.

4239. I want just to come at your mind, that is all; I do not express any opinion about it, but, to adopt the very wise mode of the honourable Member for Chichester, who sums up the evidence of the witnesses, I may conclude that your opinion is, that it is better to have stringent legislation for Sunday drinking than to employ the more mild and merciful mode of improving the habits and manners of the people?—It is simply a matter of opinion as to what those mild and merciful modes may be; I prefer the more mild and merciful modes, and in voting for the opening of the park, I think I was adopting a mild and merciful mode, and I believe that it has been very beneficial; I walk in the park occasionally myself to see its effect.

4240. But those mild and merciful modes do not include, in your mind, music?—No.

4241. I suppose that Bolton has a number of newspapers, has it not?—Yes.

4242. Have you any idea what their opinion is upon this question of Sunday drinking?—I believe they all advocate Sunday closing.

4243. I want to get at the feeling of the people, because you can get that very well through the newspapers?—We have three newspapers, and they all advocate Sunday closing.

4244. A newspaper is generally written to the opinion of the people, or what they believe to be their opinion; written for the purpose of being sold?—No doubt.

4245. I want to get at the general opinion of the newspapers about Sunday closing, and you say that it is in favour of it?—Yes.

4246. Has that been the case with every paper there?—Yes, I believe so.

4247. Mr. *Knatchbull-Hugessen*.] You stated, did you not, that the condition of the people of Bolton had improved during the time you have known the town?—Yes.

4248. Has that arisen, do you think, from the moral influence of gentlemen like yourself who have been most desirous to promote the moral, intellectual, and social improvement of the people?—I believe it has to a considerable extent.

4249. Do you think that there is any chance of that moral influence being weakened if you bring restrictions in to support it?—I think not.

4250. Do not you think that people who are willing to be led by such influence are rather apt to recoil from those who would drive them by restrictions?—I believe that the majority of the working people are in favour of more restrictive measures.

4251. In short, do you believe that moral influence is not weakened by a stringent law being called in to support it; or, to put it in another way, do you think that people may be as easily driven as they can be led?—Not altogether.

4252. Do not you think that in trying to drive you may sometimes repel those who might be led?—I have often found it to be the case in my own personal experience in talking with drunkards, that in many instances the drunkards themselves are in favour of this movement; they say, "Why do you not close those places?" Many drunkards have said that to me.

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4253. Those are persons who cannot trust themselves, and who are not to be affected by your moral influence; do you think it is right for their sake to impose restrictions upon a much larger class of people, who, in an ordinary community like Bolton, must exist, and who might use those houses without making a bad use of them?—I go back again to my former answer, that my opinion is that if the majority are in favour, I would certainly go in favour of it.

4254. You stated just now that you were in favour of a permissive Bill; you are in favour of it, I presume, because in such cases as these the local community are the best judges of the wants of their own localities?—Yes.

4255. I presume you do not give your support to a Bill by which the Legislature is called upon to do that which in many cases would override the opinion of the local community?—I would go rather in favour of the permissive principle.

4256. Being in favour of the permissive principle, you are not in favour of legislative coercion or restriction?—If you apply that to the Sunday question alone, I have a strong opinion that the liquor trade should be put on the same principle as every other trade in this country. You compel me to stop my work on Sunday, and you compel grocers and butchers to close their shops on Sunday, and I think that the liquor trade ought to be put on the same level as any other trade.

4257. What I want to get at is this; I want to know if you are in favour of letting localities decide those questions for themselves, how is it that you are supporting a Bill which takes that out of the power of the localities, and imposes, by the central legislative authority, restrictions upon the community?—I simply say that if asked which I would prefer, I would prefer the permissive principle.

4258. Therefore you take this Bill, not as a satisfactory settlement of the question, but as an instalment leading to something which you want to get afterwards?—Yes.

4259. With regard to closing, do you close in Bolton earlier on Saturday than on other days?—At one hour earlier.

4260. Are the working class generally liberated from their employment earlier on Saturday than on other days?—Yes, at 1 and 2 o'clock on Saturday; other days at 6.

4261. And Sunday, of course, is a leisure day with them?—Yes.

4262. Therefore, of course, in the statistics which you have given, it comes to this, that the majority of cases occur upon the two days in which the people have more leisure to go to public-houses, and more money in their pockets, than upon those five days when their leisure is much smaller, and they have not received their wages?—Yes.

4263. In that canvass which you have spoken of, did you ever ask the lodgers as well as householders for their opinion?—No.

4264. Is not a lodger less likely than a householder to have his beer at his command in his own house?—In a place like Bolton there are not very many lodgers.

4265. Still there are some, and those you did not ask?—No; simply the householders.

4266. Mr. Yorke.] With regard to those statistics, I think you said that there are 433 cases of drunkenness on Saturday and Sunday, and 360 on the rest of the week?—Yes.

4267. And you said that the bench met three days a week?—Yes.

4268. Did you mean that there were 433 cases on Monday, and that there were 360 on Wednesdays, or on Wednesdays and Fridays together?—On Thursdays and Saturdays together, so that on Monday we heard all the cases from the Saturday to Monday morning, including a Sunday evening.

4269. You mean that you had 433 cases on Monday, and do you mean that you had 360 on the Thursdays, or 360 on the Thursdays and Saturdays put together?—The Thursdays and Saturdays put together.

4270. Mr. Evans.] You stated, did you not, in answer to a question from the honourable Member for Sandwich, that there were not many lodgers in Bolton?—Yes.

4271. Can you tell me whether any considerable number of persons take any of their meals in a public-house?—I should say very few do. In connection with most of the public works we have public dining-rooms specially for them where they can warm their meals, or get them during the dinner hour.

4272. You think that very few persons are in the habit of taking their meals in public-houses as distinguished from drinking?—Very few in Bolton.

4273. The public-houses are open in Bolton on Sunday until 11 o'clock at night, are they not?—Yes.

4274. Do you think that any good purpose would be answered by their closing at 10 instead of 11 on Sunday?—I believe that every shortening of the hours is an improvement.

4275. Do you think that the greater part of the drinking to excess takes place late or early in the public-houses on Sunday?—I should say that the night was the worst time.

4276. In fact you think that if the hours were made two hours shorter on Sunday evening that would have a good effect as far as it goes?—I do.

4277. Mr. John Abel Smith.] I only want to put your opinions accurately and fairly with regard to the Permissive Bill; I understand that you prefer a Permissive Bill to this or any other direct and distinct legislation?—Yes.

4278. But you do not consider that an abdication of the powers of Parliament, but merely the fact that each separate locality is the best judge of its own wants and wishes?—Yes.

4279. Do you believe that the feeling at Bolton is in favour of a Permissive Bill?—I do.

4280. You have been subjected to a very severe cross-examination by an honourable Member of the Committee, but do I correctly understand from you that you believe the canvass of the town to have been fairly and honestly conducted, and that the general feeling of the community in Bolton, both of the upper and working classes, is in favour of increased restrictions on Sunday drinking?—I believe so; I may say in addition that the town council, as representing the town, passed a resolution in favour of Mr. Somes' Bill, when it was before Parliament.

4281. Mr. Locke.] That was for total closing on Sunday, was it not?—Yes.

4282. Chairman.] You have told us the number who have given replies to those inquiries, but those numbers do not amount, do they, to above half of the householders of Bolton?—Yes, they do; they amount to more than 8,000.

4283. Eight

4283. Eight thousand gave answers, and 1,500 gave no answers?—Yes.

4284. And were papers issued to the remainder?—Papers were issued, but for various reasons they were not collected. Some people would destroy the papers, and others were not in when the people called; and this of course being voluntary work, if a person called for a paper once, and the man was not in, I presume he would not call again. Therefore, supposing there to be 13,000 householders in Bolton, and 6,377 answered in the affirmative, and 1,783 in the negative, there were all the rest who were either avowedly neutral, or who gave no answer at all.

4285. Therefore, of the whole of the householders, you could not say that the majority answered in favour?—I am not prepared with the exact number; but if you take the number at 12,000, you have a majority; but if you take it at 13,000, you have not a majority.

4286. You are not prepared to say whether the householders of Bolton are 12,000, 13,000, or 14,000?—They would not be 14,000, I am certain.

4287. But you think that certainly there would be over 12,000 and under 14,000?—There are over 12,000, I know.

4288. Mr. *Hibbert*.] Can you state what number of papers were issued, because you may not have issued the same number of papers as there are householders?—I am not prepared to state that; but 9,717 papers were collected.

4289. Mr. *Roebuck*.] I see that the paper runs thus—"The committee of the above association respectfully request the occupier of this house to write 'Yes' opposite to whichever of the following questions he assented to;" you did not ask them to give any negatives, did you?—If you read over the questions, one of the questions is, "Are you in favour of the law as it stands?" and of course "Yes" to that would be against Sunday closing.

4290. But you do not ask him to say "No" to any question?—No, I believe not.

4291. Then how do you gather the negatives?—The answer "Yes" to the question "Are you in favour of the present law as it is?" would be a negative used against Sunday closing, of course.

4292. Is that the only way in which you got at the negatives?—I presume that is the only way provided for in that paper.

4293. What I understand now is, that all the answers "Yes" to the question "Do you prefer the law as it is?" you took to be negatives?—Yes.

4294. That is the way you got the negatives?—Yes, I believe so.

4295. And that is the only way you got the negatives?—I believe so.

4296. Mr. *John Abel Smith*.] Have you any doubt that that was the general understanding upon the subject?—None whatever.

4297. Mr. *Locke*.] This paper is only addressed to the occupier of the house, that is the householder?—Yes.

4298. That is to say, the person who pays the rates?—Yes.

4299. Are there no lodgers in Bolton?—There are some, but not many in Bolton.

4300. There are 76,000 people, and there are only between 12,000 and 14,000 householders; how do you make up all the 76,000 people if you have not a great many lodgers?—Very easily; with five or six people in a house you will get the number.

4301. But are there five or six people in every house?—I should say so; I think that is the average.

4302. But you have not had the opinion of those other five or six people, who are in the house, at all?—No.

4303. As to the householder, the person who lives in the house, and who is the master of the house, it would not be as necessary for him, would it, to have a public-house open on the Sunday as it would be for a person who was a lodger?—No, but we have very few of these in Bolton.

Mr. ALDERMAN MACKIE, called in; and Examined.

4304. Mr. *John Abel Smith*.] ARE you an Alderman of Manchester?—Yes.

4305. You have had, I think, the unusual honour conferred upon you of having been elected three times Mayor of Manchester?—Yes, that is so.

4306. I think that you are very largely engaged in the liquor trade?—Very largely indeed.

4307. Are you in the liquor trade at Manchester, and at Kirkcudbright in Scotland?—I am a landed proprietor at Kirkcudbright; I am not in the liquor trade in Scotland.

4308. But at Carlisle, Dublin, Liverpool, Manchester, Birmingham, Birkenhead, London, and Brighton you are in the liquor trade?—Yes, I am; but perhaps I may be allowed to say, that I am a banker at Carlisle, and not in the liquor trade there.

4309. You are a proprietor of public-houses, are you not?—We have retail licenses in connection with almost all our wholesale businesses; I am not the proprietor of public-houses at all.

4310. Have you the power of influencing the closing or opening of those houses on Sunday?—I have never opened any of them on the Sunday; 0.69.

I have been in business for 40 years, and I never opened one on the Sunday.

4311. Are you largely cognizant of the lives, feelings, and opinions of the working men in Manchester?—I cannot say that I am; I do not mix much with them; I only have the same opportunity that all other gentlemen have, from the public prints, of gathering the opinion generally.

4312. Have you a conviction that their opinions are in favour of further restriction on Sunday drinking?—I think they would not at all object to it; that is my feeling.

4313. Do you believe that it would advance their moral improvement and their social comfort if that were done?—Yes, no doubt; that is my private opinion, otherwise I should open upon Sunday the same as other people.

4314. Do you believe that there is much drinking in Manchester on Sunday?—I cannot say that I know that myself.

4315. Do you live at Manchester?—I live out of Manchester a little way; I live within the Parliamentary boundary; but I am not in the city at all on Sunday, except going to church.

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4316. With regard to this very extensive trade in intoxicating liquors in which you are engaged, have you from the first, during a long course of years, set yourself against the practice of Sunday trading?—Yes.

4317. Do you believe that it is not necessary for a publican to open on Sunday, with reference to his own interests?—I do not think that it is, and I have taken various opportunities, in public meetings, of advising publicans to shut up on Sunday, inasmuch as I think that it would tend to their respectability, and that probably they would get a more respectable class of servants.

4318. You cannot speak anything as to the drunken cases in Manchester, or to the extent of drunkenness?—No; although I am a magistrate I do not go upon the bench; I avoid it as much as I possibly can.

4319. Are you a visiting magistrate?—Yes.

4320. Do you go to the gaol?—Yes.

4321. Is there much evidence there of the effect of drunkenness?—Yes; I understand that a great many of the prisoners are put there in consequence of drunkenness and what results from it.

4322. Do you believe that drunkenness is directly and indirectly the cause of a very large proportion of crime?—I do believe so.

4323. Have you read the Bill which is referred to this Committee?—No, I have not.

4324. Do you know the provisions of it?—I know something of it, but I have not read it in detail.

4325. The provisions of the Bill are, first, that there should be on Sunday no drinking whatever at the counter on the premises on Sunday; secondly, that the houses should be open for the purchase of beer across the counter from half-past 12 to half-past 2, and from 8 to 10 in the evening; do you think that those hours would fairly meet the necessities and convenience of the working classes?—I am quite of that opinion; but I would go a little further than that. I am for Sunday closing altogether, but at the same time, I think it would be well to begin here and see how this goes on, and probably by-and-by it may be found necessary to close such houses altogether on Sundays.

4326. Do you believe that the Bill if carried into a law would be found to produce a good deal of public confusion or resistance among the people of Manchester?—I have not the slightest conception of such a thing. I think that the opening of the houses on Sunday causes a great deal more confusion.

4327. Do you recollect the passing of Mr. Wilson Patten's Act in 1854?—Yes; I just recollect it, although I have no very distinct recollection.

4328. You do not recollect its working particularly?—No. I forget the tenor of the Act altogether. Although I have been engaged in the trade, we never kept open above two-thirds of the hours that we are allowed to do by law, because we open at 8 in the morning, and shut at 10 at night, except on Saturday. Therefore I never paid any attention to these Acts, inasmuch as they never applied to my particular case.

4329. Are you in favour of the Permissive Bill?—No; I am not in favour of that Bill.

4330. Do you believe that a great improvement has taken place in the people since you were in business?—I think that the tone of

society has very much changed for the better. I do not think that there are so many drunken cases as there used to be. Certainly, in Scotland, it holds good to a very great extent.

4331. Do you attribute that in any degree to the restrictions now existing?—I do think that the Forbes Mackenzie Act has had a beneficial effect in Scotland.

4332. Are you favourable to the principle of restriction if it is not carried to an intolerable extent?—Quite so.

4333. And you do not believe that such legislation as I have described to you would carry restriction to such an extent as to provoke resistance?—Certainly not.

4334. Mr. *Hibbert*.] You state that you close all your houses on Sunday; are they principally situated in Manchester, or are they in different parts of the country?—To explain that it will be necessary to state, that at the beginning we aimed only at a wholesale business, but we could not get a retail license except by going into the retail trade, to enable us to supply private families with smaller quantities than the wholesale license would allow us to do; so that we were driven by necessity to go into the retail trade.

4335. Mr. *John Abel Smith*.] Is not this a short way to describe it, that you found that by no other means could you sell single bottles?—Yes, that was so; there is a licensing Act now, which has been passed lately, and which gives us the privilege.

4336. Mr. *Hibbert*.] And you sought to obtain houses in different parts of the country?—Yes; in every place where we have wholesale establishments, but nowhere else.

4337. In all those different places where you have establishments you close your houses on Sunday, do you not?—Yes; we do not open them at all.

4338. You find no inconvenience to arise from that?—Not the slightest; I believe we have done 10 times more business from the fact of our not opening upon the Sunday; such is my feeling.

4339. Mr. *Locke*.] You sell more in the six days than other people do in the seven?—Yes.

4340. Mr. *Hibbert*.] You stated that you recommended publicans to close on Sunday; should you think that any great number of publicans are in favour of your principle of closing on Sundays?—I think that a number of publicans would be very well satisfied to close on Sunday; that is my private opinion; and indeed some few of the best do close on the Sunday; but the others are afraid, and they say, "If I do not open on Sunday, and my neighbour does, and he gets my customers upon the Sunday, he will get them in the course of the week;" that is the idea that they have.

4341. Do you think that a greater number of publicans would close altogether on Sunday, if they got certain advantages in the license, for instance, supposing they could take a license for six days?—I think that it would be a capital idea to make those who would open on Sunday pay three times the license, or something of that kind, for the seventh day more than for any other day, and then you would see whether they were in earnest upon the question, or not.

4342. Do you think that the advantage which they would thereby get, would lead a great number to close altogether on Sunday?—I am sure it would.

4343. You say that you do not know the particular

particular details of this Bill; do you think that it would be better to carry out so great a restriction at once, or would you have a smaller restriction in the first instance, that is to say, if instead of closing as now at 11, the public-houses were closed at 9 o'clock on Sunday?—Yes; I certainly think that the less there are open on the Sunday, the better, because it involves the keeping of servants employed, as they must be there.

4344. Therefore, your own opinion is in favour of total closing?—Yes, that is my own opinion; but perhaps it would not be a prudent course to carry that out, to begin with.

4345. Some questions were asked a previous witness, about certain attractions and amusements for the people on Sunday; do you know whether any attempts had ever been made in Manchester to introduce music in the parks on Sunday?—Yes; there was an attempt made of that kind some 8 or 10 years ago.

4346. Was not that very unsatisfactory to a great many people?—It was discontinued; there was a good deal of public excitement about it, and the thing was discontinued.

4347. Do you know why?—It was simply the gathering of the people together in the parks.

4348. Was it not the case that the Manchester council gave their consent to music taking place in the parks on Sunday, but that a large number of people in Manchester were very strongly opposed to it?—That was so; a large number were opposed to it.

4349. And, so to avoid a strong public feeling upon the subject it was entirely given up?—Yes.

4350. Do you know anything about the public-houses that have musical attractions on Sunday evenings in Manchester?—I do not know of my own knowledge whether it is so or not; I have told you that I do not live in Manchester, and in fact, I have not made any inquiry.

4351. During the time that you were Mayor of Manchester did it not come to your knowledge in any way?—No.

4352. Do you think that further restrictions should take place with respect to those musical attractions?—I do not know whether they exist or not; I know that there are musical saloons in Manchester, but whether they are open on Sunday night, I do not know. I should think it is very likely that they are.

4353. Mr. Locke.] What is your precise business?—I am engaged in a great number.

4354. I mean with regard to liquors?—The same as all other wine and spirit merchants.

4355. You were stating that you were obliged to alter the course of your business in order to sell by retail; what was the precise mode that you adopted in order to come within the Act?—We could not carry out our wholesale business as we wished with private families without having a license which would enable us to sell a single bottle. Under the wholesale Act we could sell nothing less than two gallons; but a person would not be inclined to buy two gallons of gin, or two gallons of brandy, at a time, when two bottles would answer his purpose; and, therefore, we had to get a retail license to enable us to supply those customers.

4356. Was that retail license obtained from the magistrates?—Yes.

4357. The same thing as a licensed victuallers' license?—Yes; in every respect the same.

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4358. Do you sell beer in casks?—Yes, certainly.

4359. But you do not sell any on draught?—Yes, we do; the same as a licensed publican.

4360. Where?—In Manchester or anywhere else.

4361. Then, in fact, you have public-houses in Manchester?—We have a public-house license in connection with a wholesale license, both together in the same place.

4362. But do you sell upon those premises nothing but liquors?—Nothing but liquors.

4363. No food?—No food.

4364. Then, in fact, you are carrying on business with a licensed victualler's license without supplying any other refreshment except drink?—Yes, certainly; no other refreshment but drink.

4365. And your opinion is, that you have sold just as much or more in the retail trade since you left off selling on Sunday?—I think, for instance, if we had carried on our retail trade upon the same plan on which it is carried on generally, admitting all sorts of people into the houses, keeping open at all hours, and gaining every penny that we possibly could, we should have done no more business than any other retail victualler in Manchester; but I believe that we have done three times the business, in a retail sense, in Manchester, in consequence of having the hours limited, shutting up at a respectable hour on the Saturday night, not later than 10 o'clock, and never opening upon the Sunday at all. But I believe that if we had differently carried on our business we should not have done the same class of business or have had the same class of customers.

4366. Although your customers do not get drunk on Sunday, they get just as drunk on the other six days, do they not?—That is their affair; I know nothing about that.

4367. You would only diminish the drunkenness on one particular day in the week; but there would be as many drunkards during the week, only that the drunkenness would take place on six days instead of seven?—That may be your view of the question, but I cannot hold your opinion of it. I say this, that if they wanted to get drunk on Sundays they could not do it at my places.

4368. You say that there would not be a greater consumption of liquor if the place was shut up on Sunday, and consequently, although men might not get drunk on Sunday, there would, perhaps, be as many people get drunk during the week, taking only six days to do it in?—Upon my principle they must drink only in a certain number of hours; they have fewer hours to do it in.

4369. They would be more drunken, would they not?—No, I think not; I think less so; according to the rule-of-three, if a man would get drunk in 10 hours, he would get doubly drunk in 15.

4370. I should think he might get doubly drunk in one; if a man drank the same quantity in one hour that he would take in 15, would not a man get more drunk in one hour if he drank the same quantity all at once?—I never tried the experiment, therefore I cannot answer that question.

4371. With regard to your licenses, although you have a licensed victualler's license, you do not perform the duties of a licensed victualler, which are to provide meat, drink and lodging, as well

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well as liquors to any customer who chooses to come, which customer has a right to compel you to do it; you have no accommodation whatever, as I understand, for furnishing any meat or drink?—That was a defect in the law; but it has now been remedied, so that we now have a license to enable us to supply our customers with a smaller quantity than two gallons.

4372. Is it not a fact that the effect of the magistrates' license is to enable you to have houses which must necessarily be gin-shops and nothing else, as you do not perform the duties which a licensed victualler is compelled to perform by his license as an innkeeper?—We never did so.

4373. That is the position in which you stand with regard to these things, and you think that as far as you are concerned, the closing on Sunday would do no injury whatever to your business, as you sell just as much liquor, and more than others who do keep open?—I believe that it would not do any injury to the licensed publican.

4374. Now a licensed publican is compelled, as probably you are aware, to furnish refreshment to any traveller, or to any person, in point of fact, who chooses to go into his house?—I suppose that is the law.

4375. Then from the mode in which you carry on your business, although you have a licensed victualler's business, you do not fulfil those duties?—No.

4376. Then probably you might not be quite so good a judge of the benefit, or otherwise, in this case, as the man who does supply other things besides drink?—No, I have no means of knowing that.

4377. You sell, as I understand you, a glass of gin?—Yes, in the retail place.

4378. You sell gin, bottled beer, and other liquors; you have got a bar, I presume, about which persons cluster, and you think there is not the slightest harm if 500 people cluster round the bar and drink gin on the week day, but it is a fearful crime on the Sunday?—I have no place for their sitting down at all.

4379. Not the least accommodation?—Not the slightest.

4380. Are you not aware that it is considered one of the most objectionable features in public-houses, that there should be no place for people to sit down, and that they go and stand, a great number of them, round the bar and drink gin?—That is an objection which is often raised.

4381. And yet you carry that out to an extent beyond any other individual, probably, in this kingdom?—I do not allow them to get drunk; they must walk away immediately, just the same as taking a railway ticket; they must just pass on, and they do not stop in the house at all.

4382. They are not to drink in comfort, but as long as they drink that is all you care?—I have no answer to give to that.

4383. *Chairman.*] You have spoken of the grand results of the Forbes Mackenzie Act in Scotland; I dare say you remember how much drinking there used to be in our counties before that Act was passed?—Yes; quite so.

4384. We come from the same part of the country, and you know very well how different, as regards drinking, are the habits of the working classes in Scotland and England?—Yes.

4385. In Scotland a respectable working man, as a rule, drinks nothing at all, ardent spirit or

fermented liquors?—That is so; or at least very little.

4386. But in England beer is the common beverage of the working men, is it not?—That is so.

4387. So that a restrictive Act in England operates upon a very different class of persons from those who are affected by it in Scotland?—No doubt that is so.

4388. And therefore such a Bill as this, which would prevent working men in the daily habit of taking beer, from having any at their accustomed place on Sunday, would be a very great invasion of their habits, would it not?—I think that the great bulk of working men in Manchester go home to their own houses to drink, and have their beer there. All the people in Manchester who work in factories, do not go to the public-houses; not one even goes to the public-house, except for the purpose of drinking. For their meals they go to their own houses and get their beer there, and the wife partakes of the beer also; at least I suppose she does.

4389. From the habit of the people who enter the houses of which you are the proprietor, you have the respectable part of the custom?—Yes; to be sure I have. It is a different trade altogether.

4390. Have you not a great many decent people who come and get their glass of beer every day in some of your houses, as a rule?—Yes; but that is not with their meals. None of them ever take their meals in any of our houses.

4391. But they come and take their glass of beer at an odd time?—No doubt a great number of them do.

4392. Many of that class of people go to other houses in the same way, and they would do so on Sundays, like as other days?—There is no question of it.

4393. They go in, not for the sake of getting drunk, but to take a glass of what they want, and then go away?—Yes.

4394. Would not it make a violent change in the habits of such people, if they were debarred from having their glass in that way, unless they go and take it home?—I think not. I do not think it would make very much change, because those who take their glass of beer now and again in the course of the day must be confined to their workshop where they are working; they cannot go a great distance for it. They may work at a considerable distance from the place where their wives and children are; but they are with them on the Sunday, and there is no difficulty in getting their beer upon the Sunday, if they provide it on the Saturday night, the same as they provide their bread and their meat; they can take their beer home with them on Saturday night, if they so wish it.

4395. Do many working men, within your knowledge, buy their beer on Saturday night, and keep it for Sunday's dinner?—I know, of my own personal knowledge, that hundreds and thousands in Manchester do so.

4396. Do you bottle beer in your establishments with a view to the accommodation of those people?—Yes; I have always done it; those people take it home, perhaps, in bottle; at least the most respectable portion of them do; but a notorious drunkard will just get drunk every day, and he thinks there is no refreshment in drinking at all at home; he must always go to a public-house; therefore I say that closing on Sunday would

would be a great benefit to the public, because if any man requires rest one day in seven it is the drunkard who drinks six days; and I think it would be the greatest benefit in the world to him for the houses to be shut up on Sunday.

4397. Though he would be able to draw his liquor on the Saturday night, and sot over it on the Sunday, still you make it more difficult for him, and he would have to lay his plans beforehand?—He must think beforehand, if he takes it home on Saturday night.

4398. Mr. *Roebuck*.] I gather from what you say, that you conclude that if this sort of legislation were adopted you would not be a money sufferer?—That is a question which has never once occurred to me.

4399. I did not say that it had; but is not it the fact?—I do not think so; I do not believe that we would, but it has never been a question at all with us.

4400. Mr. *Knatchbull-Hugessen*.] You said that you recommended the publicans to close on Sunday?—Yes, I did at a meeting when I was in the chair addressing them, because I am an alderman, and as one of the licensed publicans at Manchester, and when I began to advise them in that way, they looked upon me rather as an enemy than a friend; I always used to quote my own case to show how well we had succeeded by not opening on Sunday; I am not quite so popular now as I used to be with the publicans.

4401. If without any such legislation the respectable publicans throughout the country were to adopt your advice, would not it have the effect of driving people to less respectable houses?—They could not get to the less respectable houses if all were to do it.

4402. If that advice were followed by the respectable houses throughout the country without legislation, do not you fear that as a natural result they would go to the worst class of houses?—Yes, unless they took it home with them upon the Saturday night.

4403. With reference to what you stated just now, you having upon high moral grounds always closed your own houses, you have no personal interest in this Legislation, of course; it would not affect you or your houses at all?—Not the slightest.

4404. And, probably, you have been so satisfied with the result which you have obtained, that you have not very carefully considered what the effect of such an Act as this might be upon persons less fortunately situated than yourself?—My idea is this, that it is not the public that wants this accommodation so much; it is those who deal in the article; they say that the public would be very much disappointed; it is their business, and they say, "We are so interested in supplying the wants of the public that we dare not shut up on Sunday." The public make no such demand upon them; in my opinion, they are only open for the purpose of the mere sale of drink.

4405. But you have not answered my question: "Have you very carefully considered the effect which such an enactment might have upon persons less fortunately situated than yourself?"—I answered it in the best possible way I can; I intend what I have said just now as an answer.

4406. The answer you gave was that the publicans are thinking of their own interest and not

of the interest of the public?—Certainly that is what I think.

4407. You have told us that you have not felt yourself the effects of closing on Sunday; that you have done a better business since you closed?—A great deal better.

4408. And other people if they followed your own example, you think, would meet with the same desirable result?—I so advise them from time to time.

4409. You think that a legislation compelling everybody to follow your example, would lead to a larger consumption of spirits throughout the country?—I do not know whether it would be so or not.

4410. Is not that the logical conclusion from what you have just stated?—I think if you carry it out, it will apply to the sale of drink all over the country, if I understand your question; but I do not believe that that is so.

4411. You have stated that if the publicans all followed your example, they would do a better business?—They would do a more respectable business.

4412. We know that a better business means more returns; therefore does not the logical conclusion follow that more spirituous liquor would be sold and a greater consumption of spirits would take place?—No, I do not see the logic of that at all, I confess.

4413. Then you think that a man can increase his business in some other way, and make a better business in some other way than by getting greater returns?—I think a man would make a much better business than by merely getting greater returns. I think that a great deal depends upon the respectability of the class of people that you generally get the money from. I do not think that taking any amount of money makes a business respectable at all, but the manner of conducting the business.

4414. I want to know if publicans are to get a better business, which means in the common acceptance of the term, better returns, how it is that you can gainsay the statement that the logical conclusion of your remarks, is that there would be a larger consumption of spirits?—I think myself that the houses being open every day, and adding Sunday to the week, you must necessarily go lower in the scale of servants. For my part, I would never have served any employer who had opened upon the Sunday; and I think you get a more respectable class of servants by closing on Sunday; and the more respectable they are themselves, the more likely they are to be faithful servants.

4415. Now are we to understand, you think that the lower class of people would not drink so much, but the respectable people would drink more?—I think they would get more faithfully served by their servants.

4416. Is there much cheating, do you think, in the public-houses, now by servants?—I do not know anything at all about that.

4417. You lead me to the question, because you said that you think that their servants would serve them more faithfully?—My opinion is that they would get a higher and moral class of servants.

4418. You mean that because the houses are open on Sunday respectable servants will not serve in those houses?—Not the best of them; they would not take the situation if they opened on Sunday at all.

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4419. Mr. *John Abel Smith*.] You have had an answer put into your mouth which I imagined was not your own; you do not keep what is called a gin-shop?—No.

4420. But your object is to sell small quantities wholesale?—Certainly.

4421. That was the object of your applying for a retail license; not to keep a gin shop?—Certainly not.

4422. But to be able to sell smaller quantities wholesale than the law allowed you?—Precisely so.

4423. And it is not a true picture of your houses to say that people do go in there to drink a few glasses of gin, and there get drunk?—No, they have no occasion to get drunk, there is no room for them; they must be drunk before they come in, if they are drunk, because generally speaking, they do not stay more than two or three minutes, and then pass on.

4424. Your general trade is in bottled liquors; it is not in glasses?—It is altogether a bottled trade.

4425. Mr. *Locke*.] I understood you to answer

my question, that anybody who chose to go into one of your public-houses might have a glass of gin at the bar if he chose?—Yes, he can; that is to say if he is sober; not without. That is one of the rules with us.

4426. You treat him as an ordinary publican would treat any other person?—No, certainly not.

4427. The result at which I have got is this, that if a man came in drunk you are bound not to serve him, are you not?—Certainly.

4428. And you do that?—Yes.

4429. How does that differ from other respectable publicans?—As you have put that question to me, I do not know how publicans do; I do not know whether they serve drunken people or not; we do not, nor do we serve profligate women, or anything of that kind.

4430. A person coming into the bar of one of your houses would have precisely the same accommodation; that is to say he can have any quantity of liquors from a large quantity down to the smallest quantity, namely, a glass of gin if he pleases?—Yes, if he is sober.

Mr. JOHN THOMAS ENRIGHT, called in; and Examined.

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4431. *Chairman*.] You were formerly Superintendent of Police at Southampton, were you not?—I was.

4432. Mr. *John Abel Smith*.] How long were you superintendent of police there?—Thirty-two years.

4433. When did you resign your place?—On the 20th February 1868.

4434. Are you cognisant of the state of Southampton during that period?—I am, I was never out of it.

4435. Was there a great alteration produced in Southampton by the passing of your local Act?—There was very great.

4436. Was there further a great alteration produced by the Act for closing at 1 o'clock in the morning?—There was a still greater reduction of drunkenness.

4437. Do you know the number at any recent period of the drunken cases at Southampton?—I have not any statistics with me, but Mr. Eldridge has them with him.

4438. Did you hear the evidence of Mr. Eldridge?—I did.

4439. Do you agree generally with the statements that he made?—I think there is nothing that I can disapprove of in anything that he said.

4440. As superintendent of police, do you believe that the restrictive laws at present prevailing with reference to Sunday drinking, have been attended with benefit to the social and moral condition of the people of Southampton?—I think they have very much.

4441. Do you think that Sunday drinking has a special evil effect upon the families and comforts of the working men?—I think all drinking has, if carried to any extent; but I would not say Sunday more than any other drinking.

4442. Do people drink more on Sunday at Southampton than on other days?—No, I do not know that they do more than they do on Saturday; I think it is on the Saturday night that they drink most.

4443. Saturday night and Sunday are the two great drinking days?—On Sunday all our houses

are closed until 1 o'clock, until very recently an Act passed opening them at half-past 12.

4444. Do you believe that if there was a Bill passed to prevent drinking on the premises on Sunday, leaving four hours in the day for the purchase of beer across the counter, such an Act would produce any confusion, or violence, or public disorder, or resistance at Southampton?—I do not apprehend that there would be the least disorder; but I should say that opening at half-past 12 is almost too soon, it is just the time that people are coming out of the churches and chapels.

4445. What time should you suggest for opening?—One o'clock, or a quarter before 1, would make a great difference, because half-past 12 is just the time when people are coming out of the churches and chapels; therefore to see the public-house doors open just at that time is very objectionable.

4446. Do you believe that there would be much illicit drinking if there was further restriction on Sunday drinking?—No, I do not apprehend that there would be, they are pretty well looked after.

4447. Do you apprehend that the police would have any difficulty in stopping illicit drinking?—No; we fine every one that allows drinking at prohibited hours; we fine every one that we find in the place.

4448. Have you found any complaint or remonstrance with regard to invasion upon the domestic quiet of anybody by attempting to examine as to the fact of illicit drinking?—I have never heard a complaint.

4449. Generally speaking, then, you would express approval of the provisions of the Bill before the Committee?—I would.

4450. Do you wish to see it become law?—I should.

4451. Have you ever heard of what is called the Permissive Bill?—No, I have not.

4452. Mr. *Hibbert*.] Do you remember the time when Mr. Wilson Patten's Act was in operation in 1854?—No, I do not.

4453. Do you remember the time when public-houses were only allowed to be open between 1 and

and 3 in the day and 6 and 10 in the evening?
—Yes, I do.

4454. Do you remember how that Act operated; whether it was advantageous to the quiet of the place or otherwise?—The place was very quiet; but I have heard many people, excursionists, complain of it because they could not get anything to drink when they got home.

4455. Do not you think that if this Bill, which is now before the Committee were to pass into a law similar complaints would arise?—I do not exactly understand at what hour you mean to open.

4456. Do not you know that the Bill before the Committee closes the houses for drinking on the premises altogether, and allows them to be open two hours in the middle of the day and two hours in the evening?—It depends upon what the hours would be. At that time, certainly, there were many complaints from excursionists when the houses were closed at 10 o'clock.

4457. Mr. John Abel Smith.] Do not excursionists come back generally until after 10?—The London excursionists used to complain that they could not get anything when they got back to London.

4458. Mr. Hibbert.] When they got back to London, you say you heard that they made complaints?—Yes, they said that when they got back to London they could not get anything.

4459. Do you think that the same inconvenience would arise in case this Bill were to become law?—We have had no excursion trains to Southampton for a long time.

4460. Have they ceased to come there?—Yes.

4461. Do you know whether any public-houses close at Southampton on Sunday altogether?—I think there are one or two, but not many.

4462. Do you know when the greatest amount of drunkenness occurs on the Sunday; on what part of the day?—Most likely in the evening.

4463. During what hours, the later or the earlier ones?—I should think from 5 o'clock till 11.

4464. At what time do you think the greatest portion of drunken cases occurs?—No doubt later in the evening.

4465. Do not you think that if the houses were closed at an earlier hour we would get rid of some objections?—That would get rid of a great many, but there are always a certain class of people who will bide till the very last moment.

4466. Do you think that if the public-houses were closed at nine in the evening there would be such a chance of people getting drunk as there now?—If you restrict it altogether, and they cannot go into a public-house to sit down, perhaps might; but I think nine o'clock would be rather too early; many people do not have their supper until between 9 and 10.

4467. Do you quite understand the operation of this Bill; should you prefer that the public-houses should be closed altogether for the consumption of liquor on the premises to a further restriction of the present hours?—I think if they were closed altogether for consumption on the premises, and open to out-door customers till a later hour for serving over the counter for people who chose to go for it, it would have a beneficial effect.

4468. You think that less inconvenience would arise from closing altogether for consumption on

the premises, than closing them earlier for sale both on and off the premises?—Yes.

4469. Mr. Locke.] Do you not think that that would interfere with many of those living in Southampton who want to go to a public-house and take their supper?—That depends upon the time when they wanted to go to supper.

4470. Any time in the afternoon or evening, if this Bill were passed, no person could go into a public-house who lived in Southampton; he would not be a traveller and he would not be a lodger in the house, but an ordinary person living in Southampton; and if he wanted to go into a public-house and have his supper, do you not think it would be an inconvenience to him?—I do not think that that affects Southampton much.

4471. I suppose it does, to a certain extent? I think a very trifling extent.

4472. Do you think there are no persons who take their meals in public-houses?—Very few indeed, except it is on week days.

4473. At what time do they generally dine?—Somewhere about 12 to 1.

4474. That is the working classes; but are there no other persons but those who want to go to a public-house?—I cannot say.

4475. If there were such a person, of course it would be an inconvenience to him to close the house entirely for consumption on the premises during the whole of Sunday?—It might be inconvenient to those who wish to go there.

4476. You have not given this matter much consideration, have you?—I have not; I had no instructions whatever as to what I was coming for.

4477. You find things work pretty well as they are, do you not?—We are a remarkably quiet town.

4478. Do you see any particular necessity for this legislation?—I think the less you keep open public-houses the better.

4479. How much quieter do you want to make them, if they are quiet now; do not you think that if you come to put a stringent law upon them the result might be rather the contrary; do not you think it is a very good thing to let quiet alone?—I mean that they are very orderly and quiet now.

4480. If they are very orderly and quiet, what more do you want?—It is not I.

4481. You do not want it?—I have no objection against it.

4482. You have no objection, but you do not want it?—I do not say that.

4483. Mr. Roebuck.] You stated, did you not, that there was some illicit drinking in Southampton before you left office?—I am not aware that I said anything of the kind.

4484. Mr. John Abel Smith.] Do you know what is the meaning of illicit drinking?—Yes, I do, perfectly.

4485. Mr. Knatchbull-Hugessen.] Did you say that you thought half-past 12 was too early?—It is just the time when people are coming out of the churches and chapels.

4486. What time do the churches and chapels generally begin?—Generally speaking from half-past 10 to 11.

4487. Are they not pretty well over by half-past 12?—No, that is just about the time of coming out of the churches and chapels.

4488. At what time do the workpeople dine?—From 12 to 1.

4489. If the houses were opened later than half-past 12 they could hardly get their beer in time for dinner, could they?—No.

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4490. In fact, you would propose to have them open only at such an hour that they could only get their beer after their dinner?—From 1 till 2.

4491. You say that they dine from 12 till 1; would it not be rather hard to deprive those men of their beer for dinner?—As I said before, it is just the time when the people are coming out of the churches and chapels in the town, that those public-house doors are thrown wide open.

4492. At the time that those persons are coming home, perhaps somebody else who has not been to church or chapel is dining, say between 12 and 1 o'clock?—Either one or the other.

4493. Therefore, they might object if you do not open the public-houses until a later hour?—Yes.

4494. Mr. Yorke.] Are there a great many lodgers in Southampton who have their meals in public-houses?—Not a great many.

4495. Those lodgers, if there are any in Southampton would not be pleased with this Bill?—They would not be affected by it; I suppose all lodgers in public-houses would be allowed to have their meals.

4496. I mean those who lodge about the town, but in places where they cannot get beer with their meals?—If the law was passed, it would be an inconvenience to them, I admit.

4497. In your opinion, would that be an extreme inconvenience, or not?—It would be to them.

4498. But they are not an extreme class?—I do not say so.

4499. Can you give me any idea what sort of number would be affected?—It is impossible for me to give you the number.

4500. Do you think they bear a sensible proportion to the entire population?—I cannot say.

4501. Is there any large number of young men, for instance, who come into Southampton from the neighbourhood to get work, who have no settled homes, and who are obliged to go to public-houses for their meals?—There are a great many passing through the town at different times.

4502. I mean some who come there for some months when the work is plentiful; they perhaps come from the neighbourhood for a few months, and go away again, but they lodge in the town, and have no means of getting their meals or their beer except at a public-house?—If they have no other means than going to a public-house, of course it must affect them.

4503. You cannot tell me whether that class which I have described would or would not be an extensive one?—No, certainly not.

Wednesday, 20th May 1868.

MEMBERS PRESENT:

Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Horsfall.

Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

The Rev. JOHN FLATHER, called in; and Examined.

4504. Mr. *Horsfall*.] I BELIEVE you are a Clergyman in Sheffield?—Yes; I am Chaplain of the Sheffield General Cemetery.

4505. Have you resided long in Sheffield?—Sixteen years.

4506. You probably are able to give some evidence to this Committee upon the subject of the Bill which has been referred to them?—I think so.

4507. Mr. *John Abel Smith*.] You are Secretary to the Town Mission, are you not?—Yes.

4508. Have you paid much attention to the question of the temperance of the people of Sheffield?—I have.

4509. Have you strong convictions upon the question of Sunday drinking?—Very strong convictions.

4510. Do you believe that the Sunday drinking is in excess of the drinking on other days in the week?—I think so.

4511. Do you recollect the passing of Mr. Wilson Patten's Act in 1854?—I do.

4512. That continued in existence, did it not, about 12 months?—Yes.

4513. Did you give your attention to the working of that Act?—Yes.

4514. And can you give the Committee any information as to the number of drunken cases in Sheffield in the six months previous to the passing of that Act, and the six months subsequent to the passing of that Act?—I had personal opportunities of seeing the working of the Act during the whole of the time; my duties led me to traverse the town in various directions, and from the time of its coming into operation, I noticed most beneficial results in the diminution of drunkenness in the town during the Lord's Day; there was also a return made by Mr. Raynor, the then chief constable of Sheffield (the immediate predecessor of the present chief constable of Sheffield), of the number of persons apprehended by the police, by which it appears that 90 males and 16 females were apprehended in the six months immediately preceding the operation of that Act.

4515. Will you state the times for which those arrests took place; were they for drunkenness between what periods?—On the Sunday; I cannot state the exact hours; the return is on each Sunday.

4516. Do you believe it to be from 12 o'clock 0.69.

on Saturday night to 12 o'clock on Sunday night?—Yes; and for the six months subsequent to the operation of the Act there were 25 males and seven females apprehended. This return applies only to the apprehensions on the Sunday. In the six months preceding the operation of this Act there was only one Sunday upon which there were no apprehensions for drunkenness; and during the six months to which this return relates, in which that Act was in operation, there were 16 Sundays in which there were no apprehensions; and during the last 18 weeks there were no apprehensions of females for drunkenness at all.

4517. Then you believe that Mr. Wilson Patten's Act had a very beneficial effect, both socially and morally?—A very beneficial effect; and at that time I was in the habit of visiting a respectable licensed victualler, who himself said that it not only was beneficial to the town, but was generally acceptable to the trade.

4518. Was there any riot, or public disorder, or resistance to the law, in Sheffield, when that Act came into operation?—I never heard of any.

4519. You do not believe that any could have existed without your knowing of it, do you?—I believe not.

4520. Are you capable of speaking as to the general feeling of Sheffield, and of the authorities there, in reference to Sunday drinking?—Yes.

4521. Has there been any movement of the town council, or anything of that kind?—There was a movement of the town council in the year 1852, when a committee was appointed by the town council to inquire into the apparent excess of drunkenness in the borough of Sheffield, and to consider the best means for ensuring its decrease; and the report of this committee was received and adopted by the town council at the monthly meeting on January the 12th, 1853.

4522. Then as far back as 1853, there was an opinion in the town council, in favour of the restriction of drinking on the Sunday?—Yes.

4523. Do you believe that that feeling has gone on?—I believe that it still continues.

4524. Has there been any other evidence of the feeling in Sheffield since that time?—There was a public canvass instituted in the year 1863, in favour of the total closing of public-houses; and this, which I hold in my hand, was the form

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of the schedule then issued to the houses, which were canvassed from house to house.

4525. Is it distinctly put to the householders of Sheffield to give an answer in the affirmative or negative, with reference to Sunday closing?—Yes. "If you wish public-houses and beer-houses to be closed the whole of Sunday, write Yes. If you wish them to be open as now, write No."

4526. Now, will you state the result of that canvass, if you have it?—In favour of Mr. Somes' Bill, 13,152 householders; against the Bill, 6,031. For closing, except for two hours, 613; neutral, 2,256. The total return 22,052.

4527. Do you know at all how many householders there are in Sheffield?—I cannot say. The population has increased immensely since then.

4528. Can you state to the Committee what it is now?—About 230,000. I think, that it was less at that time.

4529. There has been a great increase since then?—A very great increase, and it is still increasing.

4530. Do you believe that that is a fair expression, or was it at that time a fair expression of the mind of the working men of Sheffield?—Yes, I do think so.

4531. Do you know the provisions of the Bill referred to this Committee?—I do.

4532. Are you in favour of it?—Decidedly.

4533. Do you believe that the working men of Sheffield would be in favour of it?—Most decidedly.

4534. Have you any reason to give for that opinion?—I have.

4535. Will you state what reason you have?—It was thought by many, that opinions were attributed to the working classes which they did not hold, and that gentlemen who were not acquainted so well with the opinions of the working classes, supposed that they entertained opinions which they really did not hold. It was therefore deemed desirable that a canvass should be made of the working men of Sheffield, in order that they might themselves state their own opinions. There was a meeting held, and it was resolved that a canvass should be made of a large number of the workshops, such workshops as might be deemed really representative; accordingly, in every instance where any works were selected, a circular was sent out to the proprietor of the works, asking permission to canvass such works, with a view to laying the evidence so obtained before this Committee. The following circular was issued: "Sir,—The question of the Sunday closing of public-houses having been referred to a Select Committee of the House of Commons, it has become a national one, and reliable statistics are greatly needed. Our committee have therefore undertaken the canvass of such workshops of Sheffield as may justly be deemed to represent the respective trades of the town, in order to obtain the impartial opinions of the working men thereupon. Will you kindly grant us permission to prosecute this canvass in your works; Mr. Milne, or Mr. Hubbard, our agents, will visit the works to make arrangements for the canvass." Those agents did visit the various works, but they did not prosecute the canvass themselves: the canvass was left to be carried on by the employers, or in such manner as should be decided; and I am bound to say, that in only a very few instances did they, at the request of the employers, prose-

cute the canvass; and in the two or three cases in which they did so, the working men voted against them; for the Sheffield working men are remarkable both for their intelligence and also for their independence. In only one instance did the employers refuse, and in that one instance, we did not make the canvass.

4536. Have you got the results of that canvass?—I have the results here. This is the simple form in which it was sent:—"Sunday Closing of Public Houses. Sir,—This question is now referred to a Select Committee of the House of Commons. Will you kindly state your opinion on the matter by filling up this form. If you wish public-houses and beer-houses to be closed the whole of Sunday, write Yes. If you wish them to be open as now, write No. If you do not care how it is, write Neutral." Not a single word was used implying a bias, and no attempt was made to bias them. We issued only this one handbill to the working men themselves: "Working men of Sheffield! You are called upon to express your opinions respecting the Sunday closing of public-houses. The committee prosecuting the canvass ask your co-operation in order to obtain the impartial suffrage of the working men of this town." No printer's name was put to the bill, nor was the name of any one connected with the movement put to the bill. This was the return:—There were 130 workshops canvassed, representing all the principal trades of the town, those that are local and also the general trades of the country, painters, builders, gasfitters, contractors; in fact, every kind of trade carried on in the country. The totals from the total Sunday closing were—Yes, 4,769; no, 3,369; neutrals, 769. Those returns, when completed, were publicly advertised in the "Sheffield Independent" and in the "Sheffield Telegraph." I here put in the advertisement (*handing in the same*).

4537. That subject was also discussed in the newspapers, was it not?—Yes; it was also discussed in the newspapers, and very general attention was drawn to it. The editor of the "Independent" applied to me personally to obtain a list of the workshops and of the votes for, against, and neutral, which he inserted of his own accord. Those returns have been unchallenged to this hour.

4538. And you believe them to have been an honest and accurate expression of the opinion of the men working in those shops?—I do. The reason for selecting those works was that it was thought that if we took any given number of works, spreading it over a sufficiently wide surface, we should represent the whole town.

4539. Mr. Horsfall.] Especially the working classes?—This was a canvass exclusively of working men.

4540. Did the return state generally that the workshops were unanimous, or was there a majority and a minority in each workshop?—They varied exceedingly. In some workshops there was a large majority, saying yes, for total closing, and in some there was a large majority adverse to total closing.

4541. But, generally, the feeling of each individual workshop was, necessarily, one way or the other?—Generally. They varied very much; but still, we could trace, more or less, that there was a predominating influence.

4542. You stated just now that independence was a characteristic of the Sheffield workmen; that

that would rather look as if they ran together, would it not?—Yes; but they influence each other.

4543. You mean not individual independence, but class independence?—A sort of class independence. In a very few instances did the agents canvass, and then only at the request of the employers themselves.

4544. Mr. *Locke*.] What agents do you speak of?—The two agents who were employed by this association, which instituted the canvass.

4545. Mr. *John Abel Smith*.] Do you believe that to be a fair picture of the feeling of the town?—I believe that it is a very accurate picture of the feeling of the working men of Sheffield, and so much so, that the editor of the "Sheffield Independent," five days after, called attention to the fact that those returns had been unchallenged, and that neither publicly nor privately had there been any exception taken to them.

4546. He had previously written an article against the canvass, had he not?—Not against the canvass, but he wished the canvass to be instituted with very great care.

4547. And he approved of the manner in which it had been done?—Yes, thoroughly.

4548. For the purpose of putting your views and statements on paper in the shortest form, just go back for a moment to this: I understood you to say that in 1853 there was a report from the town council in favour of Sunday temperance?—Yes, there was.

4549. And that in the year 1863 there was a canvass of the town on behalf of Mr. *Somes*' Bill?—Yes.

4550. With an indication of strong feeling in favour of that Bill?—Yes.

4551. And that in the year 1868 there was a canvass of 130 workshops, giving a very large number of persons in favour of Sunday closing?—Yes.

4552. And there was also a marked effect produced by Mr. *Wilson Patten*'s Act in 1854?—Yes.

4553. It is almost unnecessary to ask you, but I presume that if the Bill which has been referred to this Committee were to pass into a law, you would not, in that state of things, apprehend disturbance or resistance to the law in Sheffield?—Certainly I should not. I believe that the predominant feeling in the town amongst professional men, manufacturers, and working men is in favour of restriction; and in further proof of that, I will read a letter addressed to me by the Rev. Canon *Walshaw*, of the Catholic Church, in reply to a circular which I sent to him wishing his attendance at the public meeting:—"Dear Sir,—I exceedingly regret that imperative duties this morning forbid my attendance at the meeting, the object of which has my warmest approbation. I most cordially concur in the belief that the restriction of the sale of intoxicating liquors on the Sunday will very much reduce the profanation of that day, and whatever may be done at the meeting with this object has my entire sympathy and support.—I am yours most sincerely, S. *Walshaw*."

4554. What meeting was that?—A public meeting called in the council hall in support of this Bill, on the 7th of December last.

4555. Who called the meeting?—The secretaries of this association.

4556. How many people attended it?—I 0.69.

should say about 100; but I should be speaking by guess at this distance of time.

4557. Was it a meeting of masters or what?—A general meeting.

4558. Was it only attended by 100 people?—It was called at noon, and that is a very busy time.

4559. Was it a committee meeting or a general meeting?—A general meeting, to carry out measures in support of this Bill.

4560. Mr. *Locke*.] How was it advertised?—In the first instance it was advertised, and there was also a circular issued.

4561. Mr. *John Abel Smith*.] Have you a copy of that report of the town council in 1853?—Yes, I have.

4562. Will you put it in?—Yes (*delivering in the same*).

4563. Before you went to Sheffield, you lived in Guernsey, did you not?—I did.

4564. Have you any opinion to express as to the state of public feeling on this question in Guernsey?—At that time the Sunday closing was then, as I suppose it is now, the law, and I never heard a single word adverse to Sunday closing from any person.

4565. You mean as to Sunday closing up to 1 o'clock?—No, it is there for the day, I believe; I understand so; but that I could not speak positively of now; it was so when I was there.

4566. You should consider it quite proved by the course of public events in Sheffield, that there is not any very strong general feeling in favour of resistance to a further amount of restriction?—I think not to a further amount of restriction; I think there would be to total closing, but not to further restriction. Since this canvass was completed, I have been spoken to indiscriminately by a large number of persons, both professional men, working men, and manufacturers, and their testimony has been uniform in favour of restriction. In this list of workshops, which I have put in, there is one return where they gave 21 "no;" that is adverse to total closing; one "yes," for total closing, and two "neutral;" and there we should have had 24 for restriction, where we had 21 against total closing. To simplify the question, we put it before the working men on the one issue of total closing alone. I do not think that the country, at least speaking from my knowledge of Sheffield, is yet prepared for total closing, though I hope the day will come when it will be so.

4567. What you mean to imply by that is, as I understand you, that the numbers given in the canvass, in reference to total closing, give no accurate idea of what the feelings of those people would be as to partial closing?—That is so.

4568. And that there would have been a much larger number in favour of partial closing than there is shown to be in favour of total closing?—Yes, that is the predominant feeling, I believe, in the town.

4569. Has there been any communication from the town to your member, Mr. *Roebuck*, upon the subject as to the present canvass, or to the past ones?—I believe there was a communication in reference to the canvass of 1863.

4570. That was communicated to him, was it?—Yes, I understand so.

4571. Has he ever expressed any doubt as to its fulness and accuracy?—I have not heard of any such expression.

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4572. Have

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4572. Have you had any petitions from Sheffield?—Yes, we have.

4573. Will you state what they have been?—As to petitions in favour, we have not recently had any very active petitioning on the subject, I believe, that is to say, in favour of total closing, or even of restriction.

4574. Has there not been a very large petition against the Bill now referred to this Committee?—Yes, there has been, I believe, a large petition.

4575. How do you account for that?—I would rather not express an opinion on that petition. I should be obliged to speak somewhat adversely to it, but I could not speak on sufficiently reliable data to give a decisive opinion.

4576. Are you able to go as far as this, that you would not take it yourself as indicating the feeling of the town?—Most certainly.

4577. Can you state the number who signed that petition?—I think it is about 23,000. This is my view, that a petition which is largely signed in the streets, by passers-by, is not very much to be depended upon in legislation. I saw this petition being signed in the streets, and I should not myself look upon it as anything very reliable.

4578. Dr. Sale, the vicar of Sheffield, whose name is universally known and respected, has given you, has he not, very active and willing aid in favour of the principle of further restriction?—Dr. Sale is our president, and has acted throughout most energetically and uniformly. This association is not a teetotal association. A large number of those who are active upon it, are not abstainers at all.

4579. I suppose that during the 16 years that you have been at Sheffield, Sheffield has been, like all other places in England, improving in the habits and tendencies of the working class?—I think so.

4580. And do you think that the people are more temperate than they were?—Yes, I think they are.

4581. And that the feeling in favour of restrictive laws, with reference to Sunday, has increased during that time?—I think so.

4582. Is there a very extensive practice and habit of Sunday excursions at Sheffield?—There is one peculiarity in Sheffield as to excursions, and that is the extent of pedestrianism. There are three classes; those who go by train now, and Sheffield is not remarkable for the number of excursion trains; there are those who go by conveyances to the neighbouring villages, and they may generally be assumed to be persons who have those beverages at home when they return; but there is a large number of persons, working men, who go out on Sunday morning after breakfast, and return to dinner; and if a stranger were to go to some of our principal thoroughfares leading out of the town, he would be struck at the immense number whom he would see returning perfectly sober for dinner. Those persons generally spend their Sunday afternoons at home, for that we find to be one of the best times for visiting, to find the man at home, to speak to him on religious questions, so that the alteration of the law in favour of further restriction would not act more against him than the existing law.

4583. You have got a very fine park at Sheffield, have you not?—Yes.

4584. Is that largely frequented by the working classes?—Not on the Sunday; they go to

some distance on to the moors and to the woods, botanising and so on.

4585. You do not think that there is anything in this Bill to interfere with the real practical comfort and habit of the working men in Sheffield?—I think it might slightly inconvenience some, but I have always understood from the legislation of the country, that mere personal inconvenience was no objection in the removal of a great public evil.

4586. Do you believe that restriction has acted hitherto in the diminution of drunkenness?—I think so, and especially in Sheffield, where the working men are not restricted as they are in the textile districts, compelling them to be in the place of work on the Monday morning. A Sheffield artisan can go to work on Monday or Tuesday, or Wednesday, or Thursday as he pleases, and there can be nothing serious said against him.

4587. Have you at all thought over the effect of high wages upon drinking?—Yes, I have thought of it. I do not think that high wages cause drinking. I think they quite as much cause economy and investment on the part of working men.

4588. Is there a good deal of saving amongst the working men in Sheffield?—There is a large number who secure shares for themselves in various undertakings, and it is rather a commendable feature amongst them.

4589. It is very remarkable, is it not?—It is something remarkable; but I think, on the whole, that high wages operate quite as much in favour of economising as they would do in favour of expending money on those beverages.

4590. Some of the men get very considerable wages, do they not?—They do get very large wages.

4591. I will ask you to put in those papers which you have referred to?—I will do so (*handing in the same*); I will put in also two or three of the forms that were filled up, and I put in one for this reason: to show why some voted against total closing. It says, "Yes, if you close the clubs—not without." This we returned as "No;" but we found that it was regarded by some as class legislation, and, being so regarded, many voted against it.

4592. Mr. Locke.] Were those remarks numerous?—Not very numerous, and they varied sometimes; and I put that in expressly to show why the minority was so large as 3,369.

4593. On account of the clubs?—On account of its being thought to be something like class legislation.

4594. As to the persons who stated, "Yes, if you close the clubs—not without," how many do you suppose wrote that?—I could not say positively.

4595. Were they numerous?—Tolerably numerous, but we found it run in one works; this is from one works, and we had a similar remark from another works in a way that showed that the working men had influenced one another.

4596. They thought that everybody ought to be subjected to the same regulations, or else it was not fair; that was their view?—That seemed to be their view.

4597. Mr. Horsfall.] You stated, did you not, that the number of persons who were in favour of entire closing was 4,769?—Yes.

4598. That would give a majority of 1,400 over

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over those who were opposed, and those who were neutral?—Yes.

4599. You stated further that you thought there would be an opposition to the total closing of public-houses on Sunday?—Yes, I think so.

4600. But not to further restriction?—No, not to further restriction.

4601. To what extent do you think the people would be disposed to assent to further restriction?—I can merely, upon this point, state opinions.

4602. I ask you your own opinion?—My own opinion is, that we could fairly calculate on three-fourths in favour of further restriction; but that is just an opinion. A gentleman who was himself opposed to the total closing, told me that he thought that we could fairly calculate on nine out of ten.

4603. And you think that the number of workshops which you canvassed would be a fair average of the opinions of the working men of Sheffield?—On that I think there would be no question. We took all the leading works in all the departments, and in one instance we took one of the largest works in the town (it is not a local trade), where we did not expect to get a single vote in favour of total closing, but we deemed it an act of justice to let the working men give their opinion, and they returned 74 against total closing, and 5 for it. I believe that in the result of this canvass the Committee would have a fair representation of the opinions of the working men in the town, and up to this moment the returns are unchallenged.

4604. Mr. Knatchbull-Hugessen.] With regard to the number of apprehensions on the Sunday for drunkenness, I did not quite understand you whether the apprehensions were upon the Sunday, or after 12 o'clock on Saturday night?—Apprehensions on the Sunday.

4605. Have you any power to distinguish apprehensions which might have occurred after 12 o'clock on Saturday night?—No; there is nothing to distinguish. It is a report from the late chief constable, Mr. Raynor, and there is nothing to distinguish. It is stated as the numbers on the Sunday, and I believe it means simply during the Sunday itself.

4606. But you stated to us that the hours were between 12 on Saturday night and 12 on Sunday night; therefore, in the absence of any proof to the contrary, it would seem that any apprehensions on the Saturday night of the persons turned out at 12 o'clock, would come in that return?—That I could not say; it is a return made by the late chief constable himself.

4607. What is the population of Sheffield?—I take it to be about 230,000.

4608. There are a large number of licensed victuallers, I suppose, in Sheffield?—Yes; a large number.

4609. And one of those has expressed an opinion in favour of further restriction?—He expressed himself to me in favour of the Act of 1854.

4610. Do you think that he represented a class of licensed victuallers?—I think he represented a large number of respectable licensed victuallers.

4611. Has he acted upon his opinion, and closed his house on Sunday?—No; he only closed during the prohibited hours.

4612. With regard to this canvass, you asked the permission of the masters of the workshops

to canvass; did you meet with any refusal?—Only one refusal; generally speaking, there was a prompt concurrence. I received a letter from the celebrated firm of John Brown & Company, armour-plate manufacturers, that they would give us full permission.

4613. Had you some of the masters very earnest in your favour?—The masters generally declined to express any opinion either way, for this reason: they said "If we influence our men, they perhaps will want a favour at another time."

4614. Were there any remarks attached to the answers which came in "yes"?—Yes; but they were generally simply to intensify the "yes;" the opinions of the masters had nothing to do I believe with the return. I could point to more than one case in that return, where the masters were decidedly in our favour, and the men voted against us.

4615. With regard to that printed bill to the workmen at Sheffield, what is the reason you put no printer's name to it?—That no influence should be used in any way.

4616. It was not from any fear of the consequences to the printer, was it?—No; not the slightest.

4617. I want to know about this public meeting. You began by calling it a public meeting, and then you call it a general meeting, and you had 100 people present, you say; that was not a great proportion out of a population of 230,000?—No, it was not convened in any demonstrative form, it was convened as a working meeting; but that meeting was distinct from this meeting, in which the present canvass issued.

4618. Was it not a public meeting, then?—Yes, it was a public meeting.

4619. If it was a public meeting, any number might have been present?—Yes.

4620. But still you only got 100?—No.

4621. I ask you if the number of persons in Sheffield who took such a vivid interest in your side of the question as to attend that meeting was 100?—I suppose it would be about 100. It was a working meeting for concerting measures, and not for discussion.

4622. It was held at noon, was it not?—Yes.

4623. And noon is the hour at which the majority of the working classes in Sheffield go to dinner, is it not?—Yes, they certainly go to dinner at that hour; but it was not convened or intended, in fact, to awaken public attention in the form of a demonstration.

4624. It was a public meeting, but not intended to be attended by the public, was that it?—No, that was not it; it was not intended to be one of those exciting meetings which attract large numbers.

4625. How was it convened?—It was convened specially, by circular.

4626. By circulars sent to a certain number of individuals upon whom you could rely for the orderly support of your views?—Not for the orderly support of our views, but for active measures for conducting the canvass; that had to go into the workshops themselves.

4627. You told us that public opinion in Sheffield, you thought, was not against further restriction, but against total closing; do you think it is possible that some people who are in favour of total closing, might still be against partial closing, because they might think that an irrita-

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tion would be produced by the one, without obtaining the full remedy for Sunday drunkenness which they think would result from the other?—I think there are some who are opposed to total closing, who would be opposed also to partial closing. If we had perfect unanimity, our way would be perfectly clear.

4628. But my question was, do you think there are some who are in favour of total closing, who would still be against partial closing, and would rather leave the law as it is until public opinion should be sufficiently indicated to obtain all they wanted?—Undoubtedly there are such, but I am not of that number, nor is the committee of our association generally of that opinion.

4629. A large number of the committee are not abstainers at all, you say?—A number of them are not abstainers.

4630. Still they are kind enough to wish that others should be?—They are kind enough to wish that other people should be kept from the public-houses on the Sunday evening. There is a great evil in Sheffield arising from the amount of psalm singing in the public-houses. I have passed many of those public-houses in which psalms and hymns have been sung, and time has been kept; and if you were simply outside, you might suppose that it was a place of worship, and that we find to be a most pernicious evil to our youths, and to persons whose principles are unsettled; and on that account, we wish to have those places closed, except for those who want to have those beverages for refreshment on the Sunday.

4631. And who would not sing psalms if they went there?—We think it is a desecration.

4632. You do not object to psalm singing in itself, but you object to its being carried on in public-houses?—Yes, being carried on in public-houses on a Sunday evening with the express intent of alluring those who otherwise would not go.

4633. Are not the doctrines inculcated in the psalms that would be sung, good doctrines, such as would rather lead the youth of Sheffield into good courses?—Undoubtedly; but that is not the place to inculcate the doctrines, and it is not with the view of inculcating doctrines, that they are sung, but with the view of inducing people to buy liquor, and get into the habit of drinking.

4634. That is to say, when they are hoarse with singing psalms, they would want to whet their whistle?—Yes.

4635. Mr. Evans.] Do you mean to say that you think this psalm singing is carried on for the purpose of inducing people to come there, or is it intended as a sort of insult to religion generally?—I do not think that it is intended as an insult to religion; but that it is intended as an inducement to bring persons there who otherwise would not go.

4636. Mr. Knatchbull-Hugessen.] You would not have them attracted to the public-house by any influence, good or bad?—Certainly not; I would have a public-house, on Sunday especially, kept as a place of refreshment.

4637. Mr. Evans.] Does your experience tend to show that during the last 16 years, drunkenness has increased or diminished in Sheffield?—My own impression is, that it has diminished, and I think that the habits of the people, generally, are improving.

4638. Are there any considerable number of

persons in Sheffield, who are in the habit of taking their meals, or any of their meals, at public-houses on week days or Sundays?—There is not a large number who take them on the Sundays. On the week-days, when they go to the public-houses, they go to get rest, and I suppose a little beer during dinner, but it is not general there for the people to take their meals at the public-houses.

4639. Are there many persons who live in lodgings in Sheffield?—Yes.

4640. Do those persons who live in lodgings generally speaking get their meals at their lodgings, or do they go elsewhere for them?—They very generally get them at their lodgings.

4641. Do the lodging-house keepers undertake to prepare their meals as well as finding the lodging?—Yes, as a general rule they do.

4642. I think I understood you to say that the greater part of the working people who went out on excursions from Sheffield on Sunday went out in the morning?—A very considerable part of them; it is my impression that it would be the greater part of the working men, for Sheffield is not remarkable for excursions by train.

4643. I understood you to say that they generally speaking go out on foot, and that those who go out on foot usually go out in the morning and come back to dinner?—A large number; so much so that with our various agents who visit for religious purposes they find the Sunday afternoon a good time for visiting those men, as they meet with the men themselves at home.

4644. Mr. John Abel Smith.] Do they not go by train a good deal to Worksop?—Worksop is one place to which there is a train, and there is another train to Grimsby, and I think there is a third also to Wharnccliffe, but those trains go only from one station; there are no trains running from the Midland Station.

4645. Mr. Yorke.] You say you have a very large number of people who live in lodgings in Sheffield; I suppose there are a good many of them young men who have only a bedroom or share of a bedroom?—Yes.

4646. How would you suppose those young men would pass their Sunday evenings if they had no opportunity of going to a public-house in winter; for instance, in bad weather, when they could not take a walk?—We hope they would go to a place of worship.

4647. Supposing they went, we will say in the morning and in the afternoon, there would still remain the evening; would you propose that they should go to a place of worship again in the evening; for instance, on a winter evening, take a young man who has a share of a bedroom, if the public-houses were closed on Sunday evening, how would he spend his Sunday evening?—He would spend it as he spends many other evenings, in the house where he lodges, or with some of his companions.

4648. But supposing, as I understand, there are many who have only a bedroom, or a share of a bedroom, in the house where they lodge, would you propose that he should pass his evening in that portion of the bedroom which belongs to him?—A place in the house is always included in his renting a bedroom.

4649. Do you mean that he has accommodation in the parlour of the house in which he lodges?—In the parlour, or in the house, whatever it be; he has a part of that which is considered

sidered part of his lodgings; he is not confined to his bedroom.

4650. Is that universally the case?—Yes, universally the case in Sheffield.

4651. Mr. *John Abel Smith.*] When I asked you the question about Guernsey, I did not know that the public-houses were closed altogether on Sunday; but I understood you to say, that in Guernsey you never heard any complaint of the then existing law?—Not the slightest. I never heard any complaint, except now and then from an Englishman, who came over and stayed at his hotel, where he could get his wine, but he chose to have an English grumble about a habit which he did not understand.

4652. *Chairman.*] Are you aware that the chief constable of Sheffield has expressed an opposite opinion to yours upon the feeling of Sheffield in the matter?—He has expressed this opinion, I believe, that the opinions of the town are extremely divided, and that is shown by the return; but I may also state that the chief con-

stable would feel, perhaps, much better qualified to enter into the question of the apprehensions than he would upon this particular point as to the opinion of the town. I do not think I should be going wrong to say that the chief constable himself called at my house and conversed with me on this very point, wishing to know the result of the present canvass; but the canvass was not then complete. I suppose he believed that I could give as much information on this point as any one, I having such a wide connection in the town with all classes.

4653. The particular opinion to which I wished to direct your attention was when he said that he did not think that the restrictions proposed by this Bill would be cheerfully submitted to in Sheffield?—I saw that he had expressed such an opinion; but my own opinion is, that in most instances it would be cheerfully accepted; in some instances it would be acquiesced in, and in a few it would be grumbled against, but it would be submitted to.

CHRISTOPHER BUSHELL, Esq., called in; and Examined,

4654. Mr. *John Abel Smith.*] You are a Magistrate of Cheshire of some standing, are you not?—Yes.

4655. Do you live in Cheshire?—Yes; in the large and populous parish of Neston, 10 miles from Birkenhead.

4656. You know, do you not, a good deal about the feeling in that part of the country, both with regard to Birkenhead and Chester?—I would rather express an opinion of my own neighbourhood. I think that the evidence which I chiefly have to give is in relation to the feeling of publicans and beer-shop keepers themselves as to their desire that their houses should be closed on Sunday.

4657. Do you believe that the existing state of things acts injuriously to the social and moral good of the people in the district?—Unmistakeably so. In fact, I myself have wondered how a law so inconsistent with other laws for the promotion of religion and morality could have existed so long, being persuaded that the permission that public-houses and beer-shops should be open on Sunday is greatly detrimental to the progress of religion and morality.

4658. Do you recollect the working of Mr. Wilson Patten's Act?—No; I have only been a resident in that parish about 11 or 12 years, and I prefer to speak rather of the present than of the past.

4659. Do you believe that the feeling of the respectable working men in that part of England is in favour of increased restriction?—I am persuaded that the feeling of all the wives, at all events, is very largely in that direction; I have not so much questioned the working men, because I have felt that there would be some inconsistency in putting that question to them. A working man who is disposed to be temperate need not enter a public-house at all on Sunday, and a drunkard is scarcely likely to confess that he wished to have his vice suddenly stopped; therefore I have not thought it wise to put a question which was not likely to lead to a very truthful answer.

4660. Do you take a close and active interest in the discharge of your magisterial duties?—I do, and know the district as well personally as most men know it.

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4661. Do you believe that the beer-house keepers and the public-house keepers would be in favour of restriction if it was general?—I can answer that question by a document which I happen to have in my possession, which arose in this way. Of course the discussion of Mr. John Abel Smith's Bill has been general throughout the country, and no doubt this measure has been discussed in the beer-shops and public-houses, and the publicans in my neighbourhood have heard that in Liverpool an immense number of public-houses have been voluntarily closed upon the Sunday. A poor man, a shoemaker, who has always been distinguished for being useful in the parish, came to me and said, "There is a strong and very general feeling that the provisions of Mr. Abel Smith's Bill should be adopted; and if I could only get a paper drawn up embodying the principles of that Bill and the details of it, I am sure that all the publicans and the beer-shop keepers would sign it;" and he asked me whether I would draw up such a document; I hesitated a little, but I thought to myself that there would be no harm in trying the experiment, and I said, "Very well, I will draw up a document which shall embody the principles of Mr. Abel Smith's Bill, and you may do with it as you like, and we will see what the effect is." I hold that document in my hand, and perhaps the Committee would like that I should read it, as it is very short. "We, the undersigned publicans and beer-shop keepers of the parish of Neston, being convinced that great advantage would result to ourselves, our families, and the whole community, by greatly diminishing the number of hours during which our houses are now kept open for business on the Sabbath day, hereby jointly and severally agree that, hereafter, we will close our houses during the whole of Sunday, excepting only between the hours of half-past twelve o'clock and half-past two o'clock in the afternoon, and between the hours of eight o'clock and ten o'clock in the evening, it being agreed that even between these hours, at which our houses will be opened for the convenience of the neighbourhood, we will not permit anything sold by us during these hours of the Sabbath to be drunk upon our premises." That was signed by some 14 publicans and beer-shops

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shops keepers; and I believe only one publican and one beer-shop keeper refused to sign it. I may say that I used no influence at all in the matter myself. The document was afterwards brought to me, and of course the Committee will see that I naturally watched very carefully what was the effect of this arrangement. I may tell the Committee that this was only signed on the 11th of April, and it has almost altogether broken down. In the beginning all kept it, and then one by one broke it. For instance, there were two publicans—I do not want to be personal to any of them, as my evidence, perhaps, may appear in public—but there were two publicans who lived next door to each other, one of them was the first to infringe this regulation, and the man who lived next door was very sorely tried, and he said, “What am I to do?” He nevertheless persevered for a short time, but then his customers brought this threat to bear upon him—they said, “Very well, if you will not let us drink in your house on Sunday, we will not drink at your house on Monday.” And I found that this argument had been brought to bear upon the publicans throughout the whole district, and the consequence has been that the whole thing has broken down. Not having interfered previously, I then went and personally called upon those publicans, and I said, “I am sorry that you voluntarily signed a document by which you bound yourselves jointly and severally to close your houses for a portion of the Sabbath day, and to permit no drinking on the premises at all, but you have not kept your engagement.” And then they explained, one and all, that it was impossible for any one to do so. One or two of them said to me, “We are poor people; we have our licences to pay for, and we have all expenses just the same as our neighbours, and we cannot possibly make ourselves exceptional; because we would not mind what we lose on Sunday, that would be bad enough, but still we should lose our business on Monday and during the week.” So I tell the Committee that the thing has fairly broken down; but the publicans say, one and all, it would be to them the greatest possible benefit and happiness, if, by legislation, these provisions could be made compulsory.

4662. Do you know anything of Birkenhead?—I attend very irregularly the bench at Birkenhead; it is a long way from me, and I would rather not speak of Birkenhead, because I could not do it with sufficient authority.

4663. Have you any apprehension, as a magistrate, that, if such a Bill as that which has been referred to this Committee were carried into law, there would be any disturbance?—Not the slightest. I believe that the people generally would regard it as the greatest possible privilege and blessing.

4664. Do you feel confident that you are speaking the general feeling of the bench of magistrates in petty sessions?—Yes, I am sure that I speak the feelings of the bench of magistrates.

4665. Have you no statistics with you with regard to the amount of drinking on Sunday?—No, I have no statistics, but I have a general knowledge of the drinking on Sunday, which, especially in the summer months, it is very great. In fact, the vicar of the parish told me, within the last two or three days, that in his opinion the drinking on Sunday evening is greater perhaps,

or as great, as the drinking of all the week put together.

4666. Is not Saturday night very bad?—Saturday night is also very bad. I myself regret that early closing on Saturday night was not a part of the provisions of this Bill. I think that if the Saturday night closing were earlier it would be a great advantage.

4667. Do you think that the drinking would be less?—I am sure it would. I do not see why they should not close at 10 on Saturday night. You asked me whether I thought there was any ill-effect produced by the existing state of the law. Perhaps I may be permitted to tell the Committee why I think that there is great evil. I look at it from two points of view. First as regards the publicans themselves; I am persuaded there is great moral declension on their part arising from this Sunday trading. I am persuaded that they feel it too. I do not say that none of them attend places of worship; I should be very sorry to say so; but, at all events, they are not known to be regular attendants upon places of worship; and I think the reason is obvious, because these people feel there is inconsistency while violating a Divine law on the Sunday in attending a place of worship; and I believe that if they had this privilege of closing their houses, the religious and moral influences which would be brought to bear upon them, would influence their conduct during the week; and that publicans, instead of being as too many now are, promoters of drunkenness for their own interest, would check drunkenness in their houses during the week-day upon principle, and from the highest motives. I think they are not sufficiently under religious and moral influences, in consequence of the state of the law, which does not give them a day of rest.

4668. Have you watched at all the effects of that feeling upon the character of persons employed by publicans?—Yes; the declension in right feeling on the part of the publicans and their families is, I am persuaded, very great, and they feel that, and are most anxious for this day of rest. I believe that in my neighbourhood the very general feeling is that they would much prefer that their houses should be closed on the whole of the Sabbath, in order that they may have the day entirely to themselves.

4669. Do you believe that the restriction carried to the point at which it now exists, has been productive of a diminution of intemperance?—I do think it has. I think that the promoters of this Bill have been wise, in limiting it to its present provisions, because, to use a term with which we are now well acquainted, I think, first of all, the House of Commons itself, and then the people and the publicans, require to be educated in this matter. I do not think that it would be desirable to attempt an extreme law all at once; but I believe the more you go in this direction, the more the advantages will be felt, so that in the end there would be no difficulty whatever in closing public-houses and beer-houses on Sunday. Indeed, I never could see myself, why public houses should, although I can see a great many reasons why they should not be open on Sunday any more than a butcher's, or a baker's shop.

4670. Mr. *Hibbert*.] Do you know whether, in carrying out the present law, there is much drinking during the prohibited hours in your neighbourhood?—I am afraid there is a good deal

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deal of drinking which the police cannot grapple with.

4671. Does that take place principally in the morning, or during the time of closing in the afternoon?—A good deal of it at each time, particularly with regard to one or two houses, where there is drinking early in the morning on Sunday, and I have spoken to the police about it. Only the day before yesterday I spoke to the sergeant of police, and said, "Why cannot it be stopped; you have the power to enter the public-houses whenever you like?" He said: "The point is, the house is so situated, and they are such knowing people there, that no one can come in the direction of the house without being seen, and there is such a watch kept that we have no chance of detecting them."

4672. Do you think that if this Bill were adopted, the great difficulties that would occur would not be likely to create more drinking during the prohibited hours?—No; I think that my answer which I gave to a previous question would answer that. I rely very much upon a better feeling being induced among publicans, if ministers of religion, and district visitors, and Scripture readers, and all those who are so anxious to promote religious and moral progress, had a chance with the publicans, which the present law does not give them fairly and fully. I believe that you would have a better tone in time. I do not mean to say this Bill is to work a miracle, far from it; but that you would have a better tone of feeling amongst the publicans; and in that way you would promote very much the prevention of this great evil.

4673. You are not afraid of carrying out such a great change in the law as to cause a reaction in public feeling?—I think, myself, that any violent change in the law would be productive of evil, but I do not think that this Bill goes one step further than is judicious and wise.

4674. I gather from your evidence that you would prefer the provisions of this Bill for closing on Sunday for the sale of liquors on the premises, rather than the restriction of the present hours, allowing liquors to be consumed both on and off the premises for a shorter number of hours than at present?—I think that the prohibition of drinking upon the premises at all on Sunday is the very best feature in this Bill.

4675. In your opinion it would not be sufficient merely to close during a greater number of hours on Sunday?—No; I think that when once a man enters a public-house the temptation begins, and then I think the limitation of the hours would not at all stop the evil; but if you prevent him from drinking at all on the premises, and you give him the power to drink what he chooses to drink in his own house, you would thereby give him all that he really requires; you would not put upon him any greater restriction than is put upon ourselves and upon our own class, and you would, I think, take from him a very great temptation. I heard a question put here the other day, I think, by the Honourable Member for Sheffield, as to persons going into the country; whether it would not be a very serious thing, and a very severe restriction upon a man if he were not permitted to get his glass of beer after his walk into the country; my experience is, that the keeping open of public-houses and beer-shops on Sunday is preventive of the walk on Sunday; this is what one woman publican in my parish told me the day before yesterday. She said, "I dread

the summer coming, because of the amount of drinking which always takes place on summer evenings;" and she spoke of it with a great deal of feeling; therefore, I am of opinion, that the public-houses being kept open prevents the very thing which the Honourable Member for Sheffield desires to promote, namely, the walk into the country, for the people pour into the beer-houses in the towns and villages, and they do not walk into the country with their wives and children as they otherwise might do.

4676. You referred to an agreement which had been come to in your neighbourhood by the publicans and beer-sellers; do you think that if the law were altered so as to allow a license to be taken out to sell during six days and to close entirely on Sunday, that license being at a lower rate than the seven days' license, it is likely that the publicans would take advantage of it?—No, I do not believe they would; I think that the argument which has been brought to bear in the way I mentioned before, would be brought to bear upon the publican by his customer saying, "If you do not take out this license, and allow me to drink on Sunday, I will not come and drink on Monday;" I do not think that that plan would succeed.

4677. You think that unless you compel all to act alike you would not attain the object?—That is the feeling of the publicans in my parish, as this document indicates, and I have personally ascertained from seeing them that there is no mistake about it. It may be urged here that a gentleman who is a magistrate in the neighbourhood, and who goes to the people with that influence which appertains to his position, may get any opinion that he likes, but that was not so. I do not come here to beguile the Committee, but to tell the Committee what I believe sincerely to be the truth. From my experience and knowledge, I am persuaded that these people are sincerely desirous, almost without exception, to have their houses closed, and that they are not happy and comfortable in relation to the existing state of things; that is, as far as regards the publicans. Then as regards those who drink in the public-houses, the same argument applies to them. A working man goes to the public-house on the Sunday evening to drink instead of staying at home, or walking out with his wife and children. The effect of that of course is that he has not the same influence in his home; his children hardly ever see him; and the day of all others when he ought to be to them a father, and when he ought to be in the home with them, he is separated from them; because everybody who knows anything of a rural district knows that people who are hard-worked during the whole week are very naturally disposed to lie in bed and to indulge on Sunday morning. In some parishes there is a service on the Sunday afternoon, and very often the Sunday service is in the evening; therefore, the public-house bids against the church and the Scripture reader, so to speak, on the Sunday evening. The difficulty which the district visitor has is to find the working man at home; you find the wife, but do not find the man; and you do not want the wife as much as you want the man.

4678. What class of people make use of public-houses in your neighbourhood; is it the people living in the district, or strangers who come from Liverpool?—Chiefly the people who live in the district, which is divided into two parts:

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parts: one is Neston proper, which is called a village, but it was formerly a small market town, and it has a population of about some 1,500. In connection with it is a small watering-place, called Park Gate; and, in relation to Park Gate, I should say that the people who frequent the public-houses there, are many of them people who come from a distance. With regard to Neston itself, the public-houses are frequented chiefly by the working class of the village.

4679. Do you not know what were the difficulties which arose with respect to the publicans who first broke through the agreement at the watering-place?—The difficulties arose where they ought not to have arisen, and that was in Neston, where there were no temptations of that kind.

4680. Colonel Fane.] You stated that the police have great difficulty in finding out cases of drinking going on in prohibited houses, inasmuch as they are very much watched; do you not think that if this Bill were carried out, and the public-houses were closed altogether, except for drinking off the premises, there would be an increase of that evil; that there would be a great deal of illicit drinking, and that the people would carry the liquor away to their own houses, and collect in groups, and that there would be great difficulty experienced in putting a stop to it?—I think it is quite possible that you would have drinking. Those who are determined to drink will drink, and it is quite possible that you would have drinking in private houses, which could not by any legislation be prevented; but that, at all events, would save the publican from his portion of the evil. But then, the Honourable Member will know that those who give themselves up to drinking in houses in that way are inveterate drinkers, who do it very much for the mere love of drinking. People say that the public-house is the poor man's club and place of resort, to which he goes very naturally for his society; but, while I feel all that, I say again that he has six days in the week for that indulgence. I know that the working men in my neighbourhood have far more leisure than I have; have far more their evenings to themselves; and I dare say that that applies to every Honourable Member who is here present.

4681. But as it is, the public-houses being closed during the hours of Divine service, the publicans, if they choose, can go to church?—I think I answered that before, by stating that there is an inconsistency, which a man who is violating a Divine law feels, in going to a place of worship; supposing he went to church in the afternoon, or in the morning, he knows that the moment he comes from the church where he hears it declared that the Sabbath is to be kept as a day of rest, and kept holy, he has to go and open his shop and sell beer.

4682. Beer is a necessary of life to a certain extent, is it not?—Yes; it may be a necessary of life, and so are bread and meat necessities of life; but it may be provided in a poor man's home on the Saturday as well as in a rich man's; not to the same extent, I admit, because he would not have your cellar or mine, but his cupboard may contain all he wants on Sunday, as well as yours or mine; I think there is a great deal of false sentiment put forth about working men; the rich are under many prohibitions with regard to Sunday. If we were disposed to eat hot bread on Sunday morning, the baker would not be per-

mitted to bake it for us; or if we were disposed to go to the opera, or the theatre in the evening, we are not permitted to do so. In London, we are not permitted to get our letters on Sunday morning. There are many restrictions put upon the rich with regard to the Sabbath, which practically are not restrictions upon the poor, and I think that the law should be the same for both; at present, if what is often called favouring the poor, be to let them get drunk on Sunday, they are favoured; but I do not think that it does favour them.

4683. Mr. Locke.] You spoke of the public-house being the poor man's club, and you propose to shut it up on Sunday; do you propose to shut up the rich man's club also?—But in the country we have no clubs.

4684. In large towns like this, where there are clubs, where rich people can go and have what they please on Sunday, do you propose to shut up those clubs?—A poor man, if he saw fit, could establish his club too; they have reading-rooms and clubs for all sorts of objects.

4685. Then you have no objection to a poor man establishing his club, and doing in that club what he now does in the public-house?—I do not say that.

4686. But a rich man does in his club if he pleases, what the poor man does in the public-house?—But I observe that most rich men who have families, spend their Sundays in their own homes; we may look at a question of this kind from different points of view.

4687. Are you a member of a London club?—Yes, I am.

4688. Do you ever go there on Sundays?—It happens that I have a bed at my club, and I sleep there when I am in town.

4689. I mean do you ever go into the body of the club on Sunday?—I say that it happens that I have a bed at my club, and I live there when I am in town. I have no experience of any other club.

4690. I presume you take your meals at your club on Sundays?—Yes, it is my home on Sundays.

4691. Even if during the hours of Divine service, you wanted a glass of sherry and a biscuit, you would have it, I suppose?—I dare say I could.

4692. Then that is not one of the restrictions upon the rich man which there is not upon the poor; on the contrary, the restriction is upon the poor man, and the license is in favour of the rich?—I believe that if the poor man's best interests were considered, rather than have that inconsistency, if it be an inconsistency, which I do not say it is, it would be better to close the club altogether; at all events I would be most willing to close mine.

4693. Do you think that the bulk of the members of clubs would be in favour of that?—I am speaking merely for myself.

4694. To make things at all equal upon that point, the clubs ought to be closed as well as the public-houses; if both classes are to be put on a fair equality, both ought to be closed?—I pointed out that there are many restrictions put upon the rich in relation to Sunday.

4695. The rich man's club being open on Sunday, where he can have what he pleases, you would hardly call that one of the restrictions upon him?—No, it is not, certainly.

4696. In fact, it is a liberty which he has that the

he other man has not. I want to know what other restrictions are put upon the rich man which are not put upon the poor man. When you talk about the Post Office, the poor man has letters sometimes, although he may not have so many, perhaps, as the rich man, but is there not a restriction placed upon him in the same way with regard to Sunday?—They are treated like with regard to that; but the deprivation is scarcely felt by the poor.

4697. Then that is not one of the restrictions which is upon the rich man and not upon the poor man?—I say that that is one of the things which the rich submit to, of prohibition of that which he might desire.

4698. Then they both submit?—Yes, they both submit.

4699. I should like you to point out any restriction that there is upon the rich man which is not likewise upon the poor man?—I should say that these questions seem to me to be scarcely relevant. I say there are people in London who consider it a deprivation that they cannot go to the opera on Sunday evening. I do not suppose that a poor man would indulge in that, if the opera-houses were open.

4700. The poor man might like to go to the theatre, the price at the theatres is very little in London, and he might have the same inclination to go there as the rich man has to go to the opera?—My impression is, that a law ought not to be inconsistent; and I conceive this law, which opens the public-houses on Sunday, to be adverse to the progress of religion and morality.

4701. That is not an answer to my question. I am asking about theatres, and I ask whether the same restriction is not upon the poor man with regard to places of public amusement on the Sunday precisely in the same way as it is upon the rich man, is there any difference?—Certainly it is so, the theatre is closed against him.

4702. You have stated broadly that there are many privileges that poor men have which rich men have not, and that the rich man was restrained while the poor man was not?—Excuse me; I said there were many amusements which the rich might have been disposed to indulge in, from which they were prohibited by the existing law.

4703. What do you mean by the rich man giving up privileges; is there one law for the rich and another for the poor; are not the laws which are passed intended to press equally upon all; is not that the first principle of our law; I should like to know what you mean by the rich man giving up privileges?—I decline to answer questions which are put in that spirit. I wish to state my opinion here fully and fairly; but the questions which you put to me are such as I can scarcely answer; they seem to me to answer themselves.

4704. So it seems; but it arose entirely from your saying this: that there were restrictions upon the rich man which he chose to submit to which were not upon the poor; I ask you to mention any, but you mention none?—Allow me, then, to change the form of my answer, and to say that what I intended to convey was simply that there are, also, restrictions upon the rich; and I instanced the opera and the theatre, that they could not be indulged in, because the law closed them on Sunday, although some might desire that they should be open.

4705. However, they are not open to anybody, whether rich or poor?—They are not.

4706. And therefore they are all entirely upon the same footing with regard to that; I should like you to mention any one single thing that is a privilege that the poor enjoy and the rich do not?—The rich as a rule certainly do not frequent public-houses.

4707. They might if they liked; might they not?—Yes; but they are not likely to do so.

4708. Because they have got clubs instead, which they do frequent to a very great extent on Sunday, is not that so?—Yes; but I never heard of drunkenness there on Sunday.

4709. They have not the same necessity to go to a public-house, that a poor man has; they have got good cellars at home, probably, and they would rather drink their own wine, which they select themselves, than leave it to the publican to do it for them?—I should think those members of clubs who have their families in London, indulge in the use of their clubs to a very small extent; hard-worked as many of them are, during the week, either by business or pleasure, I should think the entire rest of home on Sunday, would be largely availed of.

4710. You conceive it very hard work, do you, for a man to go into a club and sit in an easy chair; that is no violent thing to do; and are you not aware that an immense number of men do it, and take any refreshment they please?—Certainly, men may frequent their clubs on Sunday.

4711. Are you aware whether they do it to a great extent?—I reside in the country, and have very little experience of London clubs.

4712. There are no clubs, I presume, in Neston?—There are none.

4713. Are there any in the watering place, Park Gate?—None.

4714. Then that does not give you any experience?—None.

4715. You stated that the population of the one place is 1,500; what is the population of the other?—About 500. The population of the whole parish is nearly 5,000, it is a large parish.

4716. Are they scattered about?—Yes, a good deal. There are different villages scattered throughout the parish.

4717. Therefore, what would be necessary in a large town for the convenience of the people, would be very different from that which is necessary in a place consisting of 5,000 inhabitants altogether, a great portion of whom, I presume, are scattered over the country?—Yes; of course living in their own homes.

4718. There would be hardly any analogy between the two, I presume?—I only came to give evidence as to what I know of the rural districts.

4719. I think your evidence tends to this: that you think that the public-houses ought to be shut up on the Sunday, for the sake of the publicans, more than anybody else?—I think that it would be a great boon to the publicans, and a very great advantage to the public generally.

4720. But more with a view to reforming the publicans?—To give the publican that opportunity which other traders have of enjoying the rest and privileges of Sunday.

4721. I understood you to say this: that although the public-houses are closed during the hours of Divine service, you think that because

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at the other hours the publican supplies persons with articles which they require, he cannot very consistently go to church?—I think that most publicans see a great deal of drunkenness in their houses on Sunday; and to tolerate that, and sometimes to promote it for their interests, is not likely to be very consistent with any religious observance.

4722. Are you aware whether they do go to church or not?—I would rather not answer that question. I do not see why I should pass condemnation upon a whole class.

4723. Have you any special knowledge upon that subject, whether they do go to church, or whether they do not?—I answer in this way, that many of them have, to me, deeply regretted their inability to attend public worship.

4724. Have they given a reason why?—Because their houses are opened on Sunday.

4725. During church time?—Yes, in the evening during church time.

4726. Although they cannot go in the evening they can go in the morning and afternoon; but you say that there is no service generally in the afternoon?—In some parishes there is, but it varies very much; my impression is, that any occupation carried on upon the Sunday is at variance with the fulfilment of religious duties.

4727. In answer to a question, I think you stated that, supposing this Bill were passed, there would not be any dissatisfaction with it?—My conviction is that generally there would be none.

4728. How do you account for this, that when one of those two publicans who you say had a public-house side by side, opened his house, the other said he must open his likewise, because the people threatened him if he did not, never to buy any liquor of him on a week-day?—That their customers would go on week-days where they went on Sunday.

4729. Then they must have had a strong inclination, must they not, that the house should be open on the Sunday, or else they would not have threatened him in that manner?—I would not give such people or their opinions the slightest consideration in a matter of this kind.

4730. I am not saying you would; I am merely asking you this simple question: whether from that circumstance you would not naturally infer that a great many of those people would be extremely dissatisfied if this Bill were passed?—I think men who habitually frequent the public-house on Sunday would be dissatisfied if they found the house closed against them.

4731. Do you suppose that the only persons who say this are persons who habitually frequent the public-house on Sunday; do you know who those people were who said that to the publican?—I do not know who they were; but I am persuaded that a man who habitually frequents a public-house on Sunday is almost always what we call a drinker, and a man who abstains from a public-house is not. The public-houses are supported on Sunday by drinkers, as we understand that term, not by men who go in and drink a glass of beer occasionally.

4732. If they were only supported by habitual drinkers, they would come badly off, would they not?—I am afraid it is the habitual drinkers who are the great profit to the publican.

4733. There are others, likewise, who are not habitual drinkers, but who still want drink, are there not?—They have the power of conveying

it to their own homes on Saturday, without the slightest difficulty.

4734. But they would not have the power of conveying draught beer to their homes on Saturday?—But they may take it in bottle, and that is no great hardship one day in the week. Some people prefer to drink bottled beer.

4735. Supposing they do not prefer it?—If the legislation of this country is to be governed by the liking of a man, or his preference between bottled and draught beer, and all moral and religious considerations are to be set at nought for his sake, I have nothing to say. I should decline so to legislate if I were a legislator.

4736. Would it not be very much better if you did decline to legislate; things are going on, as you have stated, very well now, and many people would think that it would be very much better if you did not attempt to legislate, because it is likely that you would legislate wrong?—I have no doubt that you, Sir, are as sincere in your view of this question as I am. I give you full credit for that, and I trust you do the same in my case. I have come here to promote no unworthy object or purpose; but perhaps you will permit me to state that, from my point of view, there are higher interests involved than those which belong to the mere temporal consideration of this matter.

4737. But you see it is a question with the people in this way: whether you are by Act of Parliament, to force persons into a certain line of conduct, or whether you are to leave it to their reason, their common sense, and their moral feeling?—I accept that proposition; and answer it by saying I have no faith whatever in legislation alone; but I say that the law ought not to be as at present, antagonistic to religious and moral progress. I think the Government standing *in loco parentis*, has no right to impede those efforts which are now, happily, so generally made for teaching the people in religion and morals.

4738. Does the law force anybody to drink?—No, but it offers temptations.

4739. But the law does not offer temptations to drinking?—The existing law offers strong temptations.

4740. How does the existing law offer strong temptations?—By throwing open public-houses on Sunday when every other place of business in the country is closed.

4741. But it does not throw them open?—It permits.

4742. That is another thing; the law permits a great many things where a person exercises his own judgment, so long as he does not hurt other people?—I entirely agree with you, that people cannot be made religious or moral by Act of Parliament; but I say that the law should be such as will permit of the full play and operation of those laws which tend to the religious, moral, and social improvement of the people.

4743. But where the law leaves everything open to a person, it does not force him to do anything that is wrong; it is his own concern?—But does it not strike the Honourable Member as a very strange anomaly, that that privilege should be conceded to only one class of persons, and that a class who deal in articles, the abuse of which is surrounded by so much danger?

4744. But you assume a state of facts which does not exist; are not tobacconists' shops open on Sunday, and are not pastrycooks open on Sunday, and all places open on Sunday by law, under

under the statute of Charles the Second, for the purpose of selling necessary things; is not that the law now?—I should hope if this law should come into operation, other laws would prohibit all needless Sunday trading, and set people free to avail themselves of those privileges which belong to their highest interests.

4745. You would restrain people by that means, and would call it setting them free?—I see no hardship in making a man buy his tobacco on Saturday instead of Sunday.

4746. But you said that public-houses were the only places that were open, is that correct?—In the country, so far as I know, tobaccoists' shops are not open on Sunday.

4747. But in London they are?—I am come here to give evidence in relation to a rural district, and we have no tobaccoists' shops open on Sunday.

4748. Have you any pastry-cooks there?—I am not aware of any open on Sunday.

4749. Not for all those 5,000 people?—I am not aware of any.

4750. Mr. *Horsfall*.] The Honourable Member has asked you with reference to clubs; there is this distinction is there not, that the clubs are open to gentlemen who have their lodgings and sleeping apartments elsewhere, and who go to those clubs to take their meals, whereas the public-house is open to everybody to go for the purpose of drinking?—The club of which I am myself a member, is closed on Sunday, and I can only speak of that of my own knowledge; living in the country, I have no personal knowledge of the working of clubs. I believe that is so with other clubs.

4751. You would have no objection to a person sleeping and living at a public-house, taking his meals, and taking moderate refreshment on the Sunday?—Most assuredly not; that would be his home.

4752. So far clubs and public-houses are, as regards the public, on an equal footing?—That is so.

4753. The clubs generally are not open to the public, they are only open to certain individuals who are members or subscribers?—I thought that the doors of the clubs were closed on Sunday. I cannot speak about clubs generally; I have no personal knowledge of their working, and I had better only speak of that which I thoroughly understand.

4754. I think you stated, that though you approve of this Bill of Mr. Abel Smith's, your own individual opinion was in favour of entire closing, though it should be gradually introduced?—I believe that the effect of Mr. Abel Smith's Bill will be to lead people gradually to that opinion. That is what I desire to express, and I think Mr. Abel Smith has been wise in limiting it for the present to the provisions of his Bill, in order that there may be no sudden change which might be regarded with disfavour.

4755. Although you have given that opinion as respects Neston only, you probably have reason to believe that the same opinion prevails at Birkenhead and Liverpool?—I have a great deal of knowledge of Liverpool, and I, of course, have a knowledge of Birkenhead. I believe that is the general opinion, and that that opinion has grown largely of late years.

4756. Mr. *Knatchbull-Hugessen*.] Your evidence has been given so very fairly that I have hardly any question to ask you; but I would

say this: in your locality the arrangements with the publicans which the shoemaker commenced, broke down?—It broke down.

4757. That was through the customers putting the screw on?—Yes; or by some of those people who, perhaps acting under the impulse of the moment, signed the paper, afterwards found that their interests were too deeply involved.

4758. The wishes of their customers were so strong that they could not, consistently with a due regard to their own interests, persevere in carrying out their own convictions?—I think that was so.

4759. If we have been told that the opposition to restriction comes from an organised society of publicans, and not from the public, in your own neighbourhood, that is not true?—In my neighbourhood that is not true.

4760. In fact, in your neighbourhood the publicans were willing to advance the interests of sobriety by this particular restriction, but the pressure of public opinion prevented their doing it?—I would use a stronger word than "willing;" they were most anxious. I do not know to what extent this pressure may have been put upon them, whether it may have been by few or by many; but that has been the argument which has been used to me; and I have no doubt whatever that that pressure has been put upon them; but they say, "If we could tell our customers that we had no option in the matter, we should become free from all responsibility."

4761. Are you not apprehensive that the public opinion, which showed itself in such a very strong manner in your own neighbourhood, might possibly show itself in the same manner in other localities?—It is very difficult to encroach upon any privilege or custom which people have had for many years without exciting a good deal of antagonism, and I think that that would be found; but I think, also, that it would come from a class which, as I ventured to say before, is not worthy of consideration.

4762. Still, there being that public opinion expressed in some localities, it is advisable to approach such a subject as this with very great caution, is it not?—I quite think that, and I feel that Mr. Abel Smith has approached it with caution by the provisions of this Bill.

4763. You used one expression which I should like to give you an opportunity of correcting; you mentioned that the publicans are the promoters of drunkenness for their own interests; is not that rather a sweeping condemnation of a very large class?—What I mean is, that the more a man sells of the commodity in which he deals, the more profit he obtains from the sale of it; and we do know that there are comparatively few publicans who have the courage to refuse to sell a man drink when they see that he has already had too much. I think if you could once impress upon a man that he was doing a great wrong to supply a man with drink who has already had too much, you would gain a great deal in the direction of temperance.

4764. My question referred more particularly to the interests of the publican; in your locality, do not the magistrates, in renewing the licenses, take cognizance of the character of the house?—Always; but if the Honourable Member is in the commission of the peace, he knows how extremely difficult it is to remove a license from a house.

4765. I have been in the commission of the

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peace for a good many years; but I want to know whether you do not think that, whereas, complaints of drunkenness occurring in a house militate, or should militate, against the renewal of the license, it is the interest of the publican to maintain his house so respectably as to ensure that the magistrates should look upon him with a favourable eye?—It is astonishing, as the Honourable Member knows, how very little hold you have upon a publican's license. A great deal of drunkenness may take place in a house, the police may know it, and the magistrates may know it, but still you may not have sufficient evidence to take away the license. No doubt a man knows that he would lose his license if he permitted drinking to excess, and there were a number of convictions against him.

4766. You would not deny that there are a great many respectable publicans who would like to keep their houses respectable?—I see no reason why the business of a publican should not be as respectable as any other business, and I believe when respectably conducted it is so. As the Honourable Member opposite said, these are necessities of life, and I so regard them; I am not one of those who would restrict the working man from drinking his beer; I believe that it is a necessary of life to the working man; I take my own glass of wine, and enjoy it, and I have no desire that the working man should give up his glass of beer, if he likes it.

4767. But do you not think that the interests of a respectable publican are really not concerned in promoting drunkenness?—I find it very difficult to answer that question. There are some most respectable men who do habitually prevent drunkenness in their houses; but I cannot but think that a man who profits by the sale of his commodity naturally thinks that he profits more by the sale of more of it than of less.

4768. Mr. Evans.] When you stated to the Committee that publicans were interested in promoting drunkenness, I understood you to mean that they were interested in promoting the sale of liquor, like any other man would be in promoting the sale of what he deals in?—Precisely.

4769. I understood you to say that if public-houses were closed as this Bill provides, and that the sale of drink was only to be allowed within certain hours across the counter, there would probably be some drinking at home?—Yes, I think so; where there is a disposition to drink, there is nothing to prevent a working man taking home all that he requires to drink on Sunday.

4770. Should you be of opinion that, as a matter of fact, it is very much greater deprivation to a man to prevent his sitting to drink in a public-house, if he is able to have the drink in his own house?—I would say most decidedly that there is much greater temptation to a man to drink in a public-house, led on by the society which he meets there.

4771. I suppose you mean this: that a man who drank to excess in his own house would probably be a man who loved drink for the sake of it?—Yes.

4772. On the other hand, a man who would go to a public-house is influenced by other people to drink, and very often is led on to excessive drinking?—He intends only to take a glass of beer, and it ends perhaps in his getting drunk, to his great regret, as I know, in many cases.

4773. Mr. Yorke.] Is drunkenness increasing

in your neighbourhood?—No; I am happy to say that I think it very much diminished; and I can answer that question by further telling the Honourable Member that, whereas some years ago the Bench sat every Monday, and we had a great number of cases of drunkenness and assault, now we only meet once a month. I do not speak from statistics, but merely from my general impression, which is, that now we have not so many such cases in the whole month as we had seven or eight years ago within one week.

4774. Do you attribute that decrease to any special cause?—I think to the generally better feeling amongst the people, and to influences which have been at work amongst them inculcating higher and better principles.

4775. It has not been the result of any special legislation, in your opinion?—I had no experience of the neighbourhood before the provision of the Bill passed in 1854; therefore, I cannot institute any comparison upon that ground. But as to the fact of the district being improved in relation to drunkenness, I can state that I decidedly think so.

4776. Do you see any connection between the rate of wages and the increase or decrease of drunkenness?—I can answer that question for this reason: that in my neighbourhood we have a population composed in part of a rural population; that is to say, labourers who work in the fields and upon farms; and another class, who make large sums of money by gathering cockles upon the shores of the Dee. Those people who so gather cockles, at certain seasons of the year, make very large sums of money; and I am sorry to say that some of them having the means, have been distinguished for drunkenness; and I am persuaded, further, that high wages tend to lessen the producing power of the country. I mean that a man who can in three or four days in the week earn sufficient for himself and the wants of his family, is too often disposed to drink and to play the other two or three days. I have known instances of that.

4777. Have you not noticed, on the other hand, that where there is distress it leads people to intemperance?—I believe statistics show that when there is great poverty and suffering, there is often no diminution in the consumption of alcoholic drinks.

4778. Have any means been tried in your neighbourhood to draw people away from the public-houses on Sunday other than legislation; such as by promoting games of cricket, or by reading-rooms, or things of that kind?—No; but by personal visiting amongst the poor in their dwellings something has been done, and with advantage.

4779. But they have no special attractions to draw them from the public-house?—No, they have not; and I have very often felt the difficulty with regard to that. You go into the cottage of a poor man, who is there with his wife; they cannot read; they cannot write, and they have no resources whatever. Those who are disposed to do them good, may read to them; but beyond that you can do nothing. You can leave nothing behind you which they can read, and, therefore, it is only the influence of the moment which can act upon them at all; therefore, it is not to be wondered at if that man makes his way to the public-house, as very often he does.

4780. Would you not prefer, before resorting to

to coercive legislation, to try some of those expedients, such as the establishment of a village choir concerts, reading-rooms, or games of cricket, or attractions of that kind?—No, I would not; I would rather take away the temptations to drinking, which are the consequence of the present law, and prosecute, by all means the inculcation of religion and morals among the people; but my strong feeling is that the law ought not to be as I think it now is, antagonistic to such work, and to such movements on the part of the clergy and the laity.

4781. Mr. *John Abel Smith.*] I only want to ask you whether you know anything of the (perhaps it is too strong an expression) contemptuous indifference with which the working classes treat this argument with reference to clubs?—Of course, I do not wish to use an offensive word at all; I was going to say, that I regard it as clap-trap; but lest I should offend anybody, I will not use that word, but that is the word which comes nearest to the opinion which I desire to express.

4782. Have you ever heard them say that if the public-houses were their clubs, they would have them very differently managed from what they are now?—No; I have not heard that. I am not in a district where such a question is likely to be discussed; but I am persuaded that the effect of the present law is to throw an impediment in the way of religious and moral, and social training.

4783. Generally speaking, your opinion is that past restrictions have done good, and that they may be carried further without any disturbance or injury to the interests of the public?—I am persuaded of it; and I believe that some of those gentlemen who are just as much in earnest in their desire that right should be done as I am, but who now think differently, will by-and-by come to the conclusion that we were right, and they were wrong, and that we may go further still in the direction of restrictive legislation.

JAMES HOWARD, Esq., called in; and Examined.

4786. Mr. *John Abel Smith.*] You are a Manufacturer of Agricultural Implements at Bedford, are you not?—Yes.

4787. Is yours one of the largest establishments of the kind in the midland counties?—It is.

4788. Do you employ a great number of men?—Yes.

4789. How many?—About 600, and about 50 in agriculture as well; I have a large farm.

4790. You have given a good deal of attention, have you not, to the state of the working people in your district?—I have, for many years past.

4791. Do you know the provisions of the Bill which has been referred to this Committee?—I believe I do; it is to close public-houses on Sunday in London, except from one till half-past two, and from eight to ten, and in the country from half-past twelve to half-past two, and to allow no drinking upon the premises.

4792. Are you in favour generally of the provisions of this Bill?—I am.

4793. You wish to see it carried into a law?—I do.

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4784. Mr. *Locke.*] You were present when the last witness was examined?—Only a part of the time.

4785. Do you recollect his statement with regard to the answer to the paper which was sent out at Sheffield; that a great number of working men made answer that they were in favour of closing public-houses on Sunday if clubs were closed on Sunday?—I have heard very little of the evidence given here; but, perhaps, in conclusion, the Committee will allow me to say that there is a very judicious movement going on for the improvement of the dwellings of the poor, and it would be impossible to over-rate the importance of it as a means of social and moral improvement; but if you could do anything which should secure that the working men's wages found their way in their entirety to the wife, and were devoted to the objects and need of the family, you would thereby do much for the improvement of the dwellings of the poor. I have always tried to inculcate that whenever I have talked to the wives of working men. Take care, above all things, to have a good and comfortable house. In that direction there is one economical change which, perhaps, may seem a trifling thing, but it is not so; formerly the poor had their dwellings miserably lighted, they now use petroleum oil; and the bright light which they now get, at even a less cost than they formerly paid for their miserable rushlight, is in itself an element of improvement and comfort in the poor man's dwelling; if you can only influence the working men, as I believe may be done, by removing, so far as possible, temptation out of his way, so that he shall take his wages home in their entirety, however small they may be, the dwellings of the poor will show a marked improvement. Immediately that a dwelling is improved, immediately you have the best evidence that the family has become happier and more comfortable in every respect; promote that, and you promote in every way the advantage of that family, and of society at large.

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4794. Do you believe that Sunday drinking is carried to an excess which interferes with the comfort and well-being of the families of the working men in many places?—I do.

4795. Has that been the failing at Bedford as well as elsewhere?—There is a very great deal of drinking there on Sunday.

4796. Does that interfere with the steady working and application of the men to their labour?—We have more absentees on Monday than on any other day.

4797. When do you pay your wages?—On Saturday, at two o'clock; we have a Saturday half-holiday, and we pay as soon as the men have finished work.

4798. Do you find that there is a great deal of drinking on Saturday?—On Saturday night there is.

4799. Should you think it would be a great improvement in the law if the public-houses were closed at 10 o'clock on Saturday night?—I do think so; and in my conversations with our chief constable he thinks so too.

4800. If there was no Sunday drinking, do you think that the wages which you pay to those men,

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men, would be sufficient to keep their wives and families in comfort?—Yes.

4801. But a certain amount is spent every Sunday in drink?—I have no doubt about it.

4802. Do the bulk of those people drink?—No; I do not think the bulk of them do. I have a very superior set of men, and upon the whole a very steady set of men.

4803. You have probably taken great personal pains with those men?—Yes; myself and my brother, we always take very great interest in them.

4804. You believe, do you not, that the past existing restrictions on Sunday drinking have been beneficial?—I do.

4805. Do you believe that restriction may be carried further, with benefit?—I do; I think that if the public-houses in the country were shut up, as they are in London, it would be a great boon to the working classes.

4806. How do you mean, shut up as they are in London?—They are shut up until one o'clock in London. I often spend Sunday in London, and I have noticed, with very great pleasure, great sobriety among the working classes on Sunday morning.

4807. But the same law exists in the country, up to half-past 12 o'clock, does it not?—No, they only shut during church hours. They can get drink at six o'clock on Sunday morning, in the country.

4808. But it is against the law, is it not?—Generally they are only shut during church hours.

4809. Do you think that the time has come when the existing restrictions might be safely and properly extended?—I do; it is simply an extension of the principle.

4810. Do you believe that the effect of past restriction has been to diminish drunkenness?—I do.

4811. Do you go as far as this, that the diminution of drunkenness is in proportion to the restriction?—I would not go so far as that. We are simply dealing with the Sunday, and I think that if men have indulged on Saturday night too freely, the longer the time which intervenes between their being able to resort to drinking again, the more likely they are to continue sober during the rest of the day, and probably the following day.

4812. Can you tell me what you think the public feeling of Bedford is with reference to such a Bill as this which is before the Committee?—I can tell you what the feeling of my own workmen is; for when the debate took place upon your Bill in the House of Commons, finding that there was very great diversity of opinion among the Members as to the opinion or feeling of the working classes upon the Bill, I called a meeting of my own workmen to consider the subject. Some 300 of them met. I took no part in the meeting, but simply presided; and I asked them to express an opinion upon it, and I think 99 out of 100 were in favour of the principle of your Bill; in fact, resolutions in favour of it were passed unanimously. I may say, further, that the fathers of families felt very strongly upon the question, and said that the opening of public-houses on Sunday was a great temptation to the junior members of their families; that they could manage them during the week, when they were at work, but on Sunday

they had very great difficulty in controlling them.

4813. I need hardly ask you if the men were in favour of the Bill, whether you think the women would be in favour of the Bill?—Doubtless.

4814. You think that they would be pretty unanimously in favour of the Bill?—Yes; I have been twice Mayor of Bedford, and I have been in the commission of the peace for the county for some time; and, therefore, the feelings of the women, not only in my official capacity, but in my capacity as a manufacturer, are often brought home to me; and I know that the great grief of the wives of the working men is that nearly all their troubles are brought upon them by drink.

4815. It is practically the truth, is it not, that one main cause of the sufferings and distress of the families of working men is Sunday drinking?—I do not say Sunday drinking; I cannot go to that extent. I say drinking generally; and I can almost always tell the habits of my workmen by the manner in which they turn out to a place of worship on a Sunday. The wives and families of my steadiest men turn out as respectable and well dressed almost as my own family; whereas the wives and families of those whom I know to be dissolute are in a very different condition. That I can speak to most positively.

4816. Is there much illicit drinking in Bedford?—I think there is a great deal of drinking during the prohibited hours; I know there is. In fact, from the statements of our police, and the cases that have been brought before me, I know that it is very difficult to check it, because the publicans lock their houses, and the police have to rap at the door, and before he obtains admission, of course they can take two minutes, or five minutes before they open the door, and although men are assembled there, I believe that the law is not sufficiently clear to reach a case where men are assembled, except unless they are found in the act of drinking.

4817. Do you believe that if such a Bill as is now before this Committee became law, there would be any great increase of illicit drinking?—I think not.

4818. You do not think that there would be any difficulty in enforcing the law?—I think not. I apprehend that if a working man were once to invite some of his fellows to drink with him on Sunday at his own house, he would not do it again, he would not be proud of his company; I do not think he would do it again, unless he was a hopelessly lost character.

4819. Do you think that the publicans and beer-shop keepers in Bedford are in favour of having the day to themselves, or not?—I really could not answer that question; I know but little of their views upon the subject. If they are like me, they would be glad of a day of rest.

4820. You do not think that, supposing such a Bill as this before the Committee became law, its enforcement would create any confusion or public resistance in Bedford?—None; I think the bulk of the people in Bedford would be glad of it. I believe that the bulk of my acquaintances among manufacturers, and other members of the middle class, entertain the same view as I do, that it would be a very great boon to shorten the hours of the public-houses being open.

4821. With regard to young girls, is the opening of the public-house a great evil with respect to

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to them?—I really cannot speak from my own knowledge upon that question. I know that my brother has sent several girls to reformatories in London who attributed their downfall to attending public-houses late at night.

4822. Is there any music or dancing in those public-houses?—Not on Sunday.

4823. Is there any sacred or other music?—None that I am aware of.

4824. Do you know generally the feeling of the various classes, professional and other classes, in Bedford upon this subject?—I cannot say that I have any very intimate knowledge; but it has often been discussed when I have been in society, and people generally are in favour of it. Of course there is a difference of opinion; many maintain that you cannot make people sober by Act of Parliament, nor do I suppose we can.

4825. But you believe that legislation might be carried further in the way of restriction with benefit to social and moral order?—I do. Some of my own men objected to your Bill on the ground that the club-houses were open on Sunday; but I pointed out to them that they were quite as free to establish clubs, and I believe that they were quite as able to establish clubs as the upper classes; and, therefore, there was no class legislation upon the subject.

4826. And they quite recognised that argument?—Yes, on that principle they did; in fact, we have a club in Bedford, a working men's institute, which I was instrumental in establishing.

4826. *Chairman.*] A club where they can obtain refreshments?—Coffee, and light refreshments.

4828. But it is quite open to the members of that club to be served with beer?—Yes, if they thought proper. I am a member of it; that is to say, I am on the committee of that club, and we could have a license if we thought proper, but it has never been proposed.

4829. *Mr. John Abel Smith.*] Being a very large employer of labour, and both as a manufacturer and as a magistrate, intimately acquainted with the habits, wishes, and feelings of the working classes in Bedfordshire, you give your opinion that further restriction on the sale of beer and spirits on Sunday night might be beneficial to themselves, without producing any interruption of public order?—I do most emphatically.

4830. *Mr. Hibbert.*] Do you know whether any publicans or beersellers close their houses on the Sunday at Bedford?—I think very few, if any.

4831. What has given rise to your idea that publicans are allowed to sell upon the Sunday morning, except during Divine service?—I know that they do. I think the only law we have to reach them is with regard to their selling during Church hours.

4832. Perhaps you are not aware that they must be closed at all hours from 12 o'clock on Saturday night up to half-past 12 on Sunday morning; that is the general law; but you are not aware what instructions your police have?—No, I am not.

4833. Have you many cases arising from selling during prohibited hours?—A very great many; but we have a great many more cases brought before the magistrates than can be proved, owing to the difficulties I have alluded to.

4834. You mentioned that most of those cases

were for selling during the hours of Divine service?—Yes, all.

4835. No doubt there would be cases of opening during the whole time of the prohibited hours for sale?—I never had any other cases brought before me.

4836. You say that there is a great deal of drinking amongst the people in your neighbourhood, but that their habits, as far as drunkenness is concerned, are improved?—Very much; there is not nearly so much drunkenness as when I was a boy; I think that there is a very great improvement in that respect.

4837. Do you remember when the Act called Mr. Wilson Patten's Act was passed in the year 1854, restricting the hours of the sale of liquor?—I do not remember it.

4838. *Mr. Yorke.*] I suppose that your men, being a very superior class, most of them have good houses of their own?—I do not mean to say that the whole of my men are of a superior class, because we employ highly skilled mechanics down to the commonest labourer, and of course the lowest are very indifferently lodged.

4839. What proportion should you say do not get wages above the average of the labouring class?—I should think about one-fifth; not more than one-fifth.

4840. You think, altogether, that they are a higher class?—We have gradations from 3*l.* a week down to 14*s.*, perhaps.

4841. With regard to their habits, do you know whether they have beer at their own homes?—I think many of them have; in fact, I know they have, from their own statement. I believe that it is becoming a much more general practice than formerly; in fact, I know it is.

4842. Then I suppose they would not be, as a class, the people who would be much affected, one way or the other, by this proposed Bill; they would be considerably less affected by it than the average farm labourer in your neighbourhood?—Yes; of course they occupy a very different position to farm labourers.

4843. So that if dissatisfaction were to arise from the passing of this Bill, probably it would proceed from a lower class than that of your workmen?—I do not think that agricultural labourers would complain, because they have no difficulty in spending their 10*s.* a week in six days.

4844. I understand that if they are paid this 10*s.* on the Saturday, probably the greater portion of it would be spent on the Sunday?—I think that it would have been mortgaged during the previous five or six days, but I really do not think that there would be any dissatisfaction.

4845. If there was any dissatisfaction it would not be among your men, but it would be from another class?—No, I do not think that there would be any dissatisfaction from the residuum even.

4846. When you say that there is a great deal of illicit drinking, we are to understand by that, drinking in public-houses out of hours?—Yes.

4847. And that has been found to be unchecked?—Yes, from the causes which I have stated.

4848. Do not you think that if the restriction were extended, as proposed by this Bill, the difficulty would become much greater than it is at present?—It might, possibly.

4849. How would you propose to meet that difficulty of enforcing increased restriction?—

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I do not apprehend that it will arise; when it arises it will be time enough to think about what measures you will adopt.

4850. In proposing legislation, would you not feel bound to consider the possible difficulties which might arise, and the method of meeting them?—Certainly.

4851. Then, in giving advice to the legislator, you would feel bound, would you not, to consider how you would meet the possible evils which would arise from the measures which you advocate?—I think that your point was this: you said, "Supposing you carry the restrictive principle further, would it not give rise to more illicit drinking?"

4852. Or rather that it would increase the difficulty of repressing illicit drinking?—I do not admit that it would increase the difficulty; I put it, I think, rather less strongly; I expressed a doubt as to which way it would act.

4853. Do you think that the danger of its increasing is so remote, that it is not worth while to consider beforehand what measures should be taken to meet it in case it should arise?—I think it is remote.

4854. You used the expression, I think, that only a hopelessly lost character would ask his companions to drink with him on Sunday?—I did not say that; I said that none but such would ask them a second time.

4855. Why should a man be a hopelessly lost character who twice asked his companions to drink with him on Sunday?—I think that a man who would have a drinking party on Sunday, would in all probability carry the thing to such an extreme, that he would make his house such an intolerable nuisance, that he would not repeat the experiment a second time.

4856. Do you mean to say that a person of the respectable class of people which your workmen are supposed to be, would not be able to have a party of friends in with him on the Sunday evening, and give them something to drink without its resulting in drunkenness and disorder?—I think that that is quite another matter; you are putting an altogether different phase upon the question that you first asked. I think that a social party on a Sunday night, should not be debarred to working men any more than to the working classes; I am totally against class legislation, but I consider that your question was directed to drinking during illegal hours; on Sunday morning, for instance.

4857. There are no illegal hours in a man's own house, are there?—No; certainly not.

4858. I understood you to say, that a man who in his own house twice asked his companions to drink with him on Sunday, was a hopelessly lost character?—Perhaps you will allow me to explain what I really did mean. I conceived that the question was directed to this point, whether in the event of this restrictive legislation being carried much further, it would not lead to illicit drinking in private houses.

4859. I am now upon a different point. I ask you to explain the answer which you made in your first examination, that you thought that a man who asked his companions to drink with him a second time on Sunday in his own house would be a hopelessly lost character?—I meant during the day-time. I meant that in the case of those who could not resort to the public-house, to indulge in their propensities, during

perhaps, morning service, or afternoon service; if a respectable working man were to ask them once to his own house, I do not think that he would be likely to renew the experiment. It is of course a mere matter of opinion.

4860. Then you add to your remark, excessive drinking?—Yes I do. I mean a drinking party; not a man who would ask another to have a pint of beer with him, or a glass of wine with him; but if men who could not indulge in their propensity at a public-house, resorted to each other's houses, I think that what I stated, would be the result. And indeed, I may say, that it is not merely a matter of opinion, because I asked my own men that very question, and they concurred in my view.

4861. *Chairman.*] Supposing that a man's propensity is to consume a pint of malt liquor once a day, and to do that in company; and supposing he knows a number of his friends who have a similar propensity, and they convey that number of pints of malt liquor to a private house, and sit over it for an hour after their dinner on Sunday, what should you say to that?—I think they would be quite justified in doing so.

4862. I do not understand where you draw the distinction?—I think I drew the distinction when I gave the explanation that I referred to excessive drinking.

4863. *Mr. Knatchbull-Hugessen.*] I will ask you, as a large employer of labour, do you prefer this species of legislation to the permissive principle?—I think that the Permissive Bill would lead to a very great deal of heart-burning and disunion amongst the people of a place.

4864. You think it inadvisable to throw this question upon the decision of local communities?—I do; I do not believe in permissive legislation; if a thing is good I would make it compulsory. I may say that I am not a teetotaler, and that I try to take a dispassionate view of this question.

4865. *Mr. Yorke.*] Supposing you had the choice, would you prefer to legislate for Saturday or for Sunday?—I do not quite understand your question.

4866. Would you prefer to place restrictions on Saturday drinking, or to increase them on Sunday?—On Sunday; I am decidedly in favour of that.

4867. Do you say that because you believe that there is more drinking on Sunday than on Saturday, or on any other ground?—I do it upon the higher ground that Sunday is a day of rest; it is the Sabbath, to begin with. I take it upon religious grounds; and I do think that when men are away from work the temptations to indulge are far more numerous than when they are constantly occupied throughout the day.

4868. You say that you have got a working man's institute at Bedford; is it open on Sunday?—Yes.

4869. What attractions does it provide?—There are various publications, and one of the clergymen of the town used to meet the men on Sunday night, and give lectures to them.

4870. *Mr. John Abel Smith.*] Can they have coffee at the institute?—Yes.

4871. *Mr. Locke.*] What refreshments do they admit?—I do not think they are very substantial. I think that they are light refreshments generally;

lly; as I said, we are quite free to apply for a
 nse if the members of the club think proper,
 t we have not done so.

4872. Remembering what the working men at

Bedford were 30 years ago, do not you think
 that they will go on improving?—I hope so.

4873. Without being legislated for?—I think
 that legislation will promote their improvement.

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Mr. GEORGE FRESHWATER, called in; and Examined.

4874. Mr. John Abel Smith.] YOU a workman
 the employ of Messrs. Howard, at Bedford,
 e you not?—I am.

4875. Early in life you were a publican, were
 e not?—Yes, I was.

4876. You know, therefore, a good deal about
 e drinking habits of working men, both per-
 ally and practically, by your communication
 th your fellow-workmen?—I do.

4877. Do you think that drinking on Sun-
 ys is carried on to a considerable extent?—I
 nk that in the town of Bedford it is carried
 a very great extent. I have had various op-
 rtunities of seeing it. In former years I was
 xed up with it, and of late I have seen a very
 eat deal of it, and I believe that it is demoral-
 ing generally to working men, and great
 mptations are held out to them. The public-
 uses being open on Sunday at dinner-time, in
 e middle of the day, many working men who
 e in the habit of going to take a glass of ale,
 it till the houses are opened, and then they go in,
 d in many instances many of them stop there a
 od while past the hour of dinner, and I know
 om what I have seen personally, that the wives
 d families often have to wait; the dinner at home
 spoiled; and when they come home, frequently
 mething occurs at home which is not at all
 asant. I have known that happen, and I think
 ould not happen if houses were closed so as
 t to be allowed to drink on the premises.

4878. Do you consider that the drinking on
 ndays is carried to an extent which exercises a
 ticeable effect upon the comfort and well-being
 families, and of the men themselves?—I do; I
 nk that if the public-houses were closed sooner
 the Saturday night, there would not perhaps
 e that great anxiety for them to resort to the
 ublic-houses on the Sunday, that there is now;
 ecause the public-houses being open to a late
 ur on the Saturday night, many of the men
 t a good lot of drink in them, and as soon as
 e Sabbath appears they are very anxious to
 t some more, and therefore they resort to the
 aces where they can get it.

4879. You think that the drinking on the Satu-
 ry night induces a desire to drink on the Sun-
 y?—Yes, I do; I think if houses were closed
 10 o'clock on Saturday night, it would pre-
 ent a great deal of Sunday drinking.

4880. Do many of the men lose time on the
 nday, from the Sunday drinking?—Yes, I
 nk that the Sunday drinking operates very
 ach in interfering with the Monday work. Not
 ly working men, but others besides working
 en, people of a higher station in life, make a
 actice of attending public-houses, and there of
 urse they have conversation on different sub-
 ts, which entices, perhaps, many people to go
 d listen to all sorts of things, and they stay
 ere, and many are induced to get too far ad-
 vanced in drink for them to be fit to attend to
 eir work on the following Monday, and conse-
 quently the Monday's labour, perhaps, is lost.

4881. Probably you can speak confidently as
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to the general feeling of the working men at
 Bedford in reference to further restriction?—I
 can. I have had, of course, very great oppor-
 tunities from being mixed up with working men,
 and being a working man all my days; and I
 have generally been mixed up where there has
 been a great many men at work. There are be-
 tween 500 and 600 men where I work now; and
 before that I worked at another factory where
 there were a great number of men, and I have
 conversations with a great many men now with
 whom I am connected. Although they are
 drinkers, and although, at the present time, they
 make use of public-houses from the Sunday
 drinking custom, yet they have invariably told
 me that they would very much approve of pub-
 lic-houses being closed on the Sunday, to pre-
 vent any one going to sit down in the public-
 houses to drink.

4882. Do you mean that they are against
 consumption on the premises?—Yes; I think the
 majority of thoughtful, intelligent working men
 would accept it as a great boon.

4883. Do you know what is proposed to be
 effected by the Bill which is referred to this Com-
 mittee?—Yes, I do.

4884. It is to stop all drinking on the premises
 on Sunday, and to open the houses for the pur-
 chase of drink for four hours during the day?—
 Yes, it is. Even when the Bill was first intro-
 duced, I very well remember seeing it in the
 daily papers; and, as soon as I saw it, I thought
 that it was one of the best things that could be
 adopted for the good and welfare of working men
 generally, although sometimes it is a difficult
 matter for working men, when a thing of that
 sort is brought forward before them, to see that
 it would be beneficial to them. It is a custom
 in which they have long been in the habit of
 indulging, and it seems hard sometimes to them,
 because they think that you are going to take
 away something from them which belongs to
 them as a right; but, after due consideration,
 and talking to them on the question, many of
 them have said to me, that they think that it is
 one of the best things that could be adopted.

4885. Is there much drinking during prohibited
 hours at Bedford?—There is a very great deal.

4886. How is it that it is not prevented by the
 police?—I cannot say how it is that the police
 do not happen to be on the spot when it is done,
 but there is a very great deal of it that is done I
 know from experience. Perhaps there may be a
 great many publicans, I will not say all, but
 there are some, of course, who do not open their
 houses on Sunday, and there is one or more in
 Bedford that do not open at all, when the hour for
 their being closed should prevent them from doing
 so; but there are others who do. If an old customer
 calls and says to the landlord that he feels rather
 thirsty on Sunday morning, the door is opened,
 and he is admitted, and has what he wants. To
 a very great extent, I have seen that.

4887. Do you think that the publicans en-
 courage or rebuke drunkenness?—I do not think
 that

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that any publican would encourage drunkenness. A publican at any time would not encourage to have a drunken man in his house; because, as soon as a man becomes in a drunken state the sooner he leaves the publican's premises the better he would like it; the publican does not want him there when he is drunk.

4888. What inconvenience do you think would result to the public if the further restrictions proposed by this Bill were carried into law?—I do not think that any inconvenience would result to the public. I think that it would be a very great benefit generally, both morally and socially, to all classes of people.

4889. Supposing that the working men were encouraged by the provisions of this Bill to take their beer to their own homes, and enjoy it with their families, would not you consider that a benefit?—Yes, a very great benefit. In many instances, where they go to the public-house now, the beer that is consumed by themselves, and the family has no part or lot in the matter, and when they go home there is none for the family.

4890. They would not take it home with them?—No.

4891. It is a purely selfish enjoyment?—A purely selfish enjoyment.

4892. Have you any means of speaking as to the comparative attendance at the public-house on the Sunday, and on the other days of the week?—Upon the Sunday, and especially upon the Sunday evening, there is a very great attendance at the public-houses. You can scarcely go into a public-house in the town on Sunday after six o'clock, but what you will find most of them full in one room or other; not working men alone.

4893. Are there girls and young men there?—Yes, young men; in the heart of the town you will not find so many young women, but in the little places in the outskirts of the town where young men and young women resort for a walk, they stop and spend their time there.

4894. Is that carried to such an extent as to produce results that are palpable and clear as regards the morality of those people?—I do think so.

4895. How do you think that working men receive further restriction; would they receive it in a spirit of willing obedience to the law, or do you think there would be any resistance?—I do not think that there would be any resistance. When I say I do not think that there would be any, of course it would be almost a moral impossibility but what you would find some, who have been very strong lovers of drink, who would begin to make some complaint at the time; but in a general way the great majority, especially of the intelligent working men, would hail it as a very great blessing.

4896. Do you believe that the advantages would greatly exceed the disadvantages and inconveniences?—I do, for it would induce them to become better fathers and better members of society.

4897. There has been a great improvement amongst the working men since you began to take notice of them, has there not?—A very great improvement.

4898. To what do you attribute that; to their better education, or what?—Some think that it is their better education; I cannot attribute it to anything else.

4899. Are there not very great efforts made to improve them?—I think that very great efforts are made on every hand.

4900. Mr. Howard has done a great deal, has he not?—Yes, he has.

4901. And others too in the town?—Yes, and others too in the town.

4902. With regard to the question of clubs, do you think that the people feel that the clubs being open in London on Sunday, this is a sort of unfair and class legislation of which they have a right to complain?—There are a few working men who take that as one leading point in their objections to the Sunday Closing Bill, or to the prevention of selling beer on the premises, on account of the club-houses in London being set apart for the rich, and taking away the privileges of the poor; but amongst a great many of them and I may say the majority of the working men in Bedford, if they felt so disposed, as there is a working men's institute established in Bedford they might club themselves together, and they would see it in this light, that they could have a club-house of their own, and that that objection has nothing at all to do with the question of closing the public-houses for the sale of beer on the premises.

4903. They know that there is nothing to prevent them having a club of their own, if they think fit?—They know it.

4904. Do you not believe that if a man wishes to be temperate and sober he may, with a little care, have his beer from the public-house in as good a state as it was at the public-house itself?—I think that he can if he takes proper care of it; I think that beer taken from the public-house even on the Saturday night would not lose much if he were to take it home and keep it in a cool place, and altogether, it would be equally as good as if he went to the tap to fetch it; but he would not need to do that, because there would be four hours in the day, during which they would fetch it home, and have it for their own convenience in their own homes, and by so doing it would be the means of making their homes the brightest spot on earth, which I contend a working man's home should be.

4905. I consider that the sum total of your evidence is this: that you believe that the working men of Bedford generally have improved largely since you have known them?—Yes, they have.

4906. But you believe that the existing restrictions on Sunday drinking have contributed to that improvement?—Yes.

4907. And that those restrictions might be carried further, as contained in the Bill before the Committee, with benefit to the men and advantage to their families?—I do.

4908. And further, that such legislation would be approved of, and not resisted, by working men; is that a fair statement of your opinion?—That is so.

4909. Mr. Locke.] By all working men?—I do not mean to say by all working men, but by the majority.

4910. A large majority?—I should say by a large majority, and those that would oppose it would be of the lowest order, with a very few exceptions.

4911. And you think that all the respectable working men in Bedford would be in favour of it?—I do.

4912. I think you say that at Bedford there

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is a club of working men?—There is a working man's institute.

4913. That is the same thing as a club, is it not?—No, it is not exactly the same thing as a club, and yet you may call it a club.

4914. How was it formed; by subscription?—It was formed by subscription through the gentlemen of the county and the Duchess of Bedford at the first onset, and now the members pay 1½ d. a week.

4915. Who makes the rules for the institute?—They are made by the members; there are 11 which we call beneficiary members, working men on the committee, and there are five on the committee who are honorary members.

4916. Who are the honorary members; are those working men?—No, they are gentlemen connected with the town, elected by the members.

4917. Who regulates the institute; do those five along with the others?—All the committee; the five and the eleven are all together.

4918. Have those people, the five, who you say are gentlemen, and 11 others, an equal voice, each of them, in making the regulations?—They have all the same voice.

4919. With regard to the subscriptions, what are they?—We have no settled subscription for our honorary members; they make a donation once a year, which certainly does not happen to be very large; it is not quite self-supporting I believe.

4920. You stated that you thought if public-houses were closed earlier on Saturday it would be better?—I do think so.

4921. Do I understand you to say that you attribute drunkenness on Sunday in a great measure to men getting drunk first of all on Saturday night?—I believe that that is a great stepping-stone to it. It may be, as I said, a great stepping-stone to it on Sunday morning, and then the houses being open on Sunday evening, they have the privilege again of resorting to the same place, and renewing their system of drinking.

4922. Do you think that if the men were sober on Saturday night, there would be anything like the drinking on Sunday that there is now?—I do not think there would.

4923. Therefore the most beneficial thing, in your view, would be an earlier closing on Saturday night?—No, I do not think that would be the most beneficial.

4924. Not if it prevented drinking on Sunday?—No. When men have got an appetite for drinking, so long as they have a house open where men can get into to have beer, no matter when you open it, there they will go; but if there is no place open for them to go in, and sit down to drink, you prevent a great amount of drunkenness; and that, with closing earlier on Saturday night, would be the most beneficial.

4925. Still you would not prevent it altogether?—There might be some means of evading the law in some way or other in getting beer; that I cannot answer for.

4926. Do not you think that the people would be induced to drink in other places?—They might, by some means or other, get hold of it; I do not know by what way. It has been said that working men would associate together at each other's houses to drink; I do not believe it. I believe the working men generally have more love for their own honour than to take a lot of people to drink in their own homes, amongst

their wives and families. I mean the really respectable working men.

4927. There might be other houses kept by people, not the working man's own house, where they would go to drink other than the public-house, supposing the public-house was closed?—I do not think that would be so; if they were to commence such a thing it would be only at the worst houses, and they would soon get sick and tired of it?

4928. Are there many lodgers in Bedford?—Not a great many; most of them are house-dwellers.

4929. Where do those lodgers get their meals?—Mostly where they lodge; the party provides their meals for them.

4930. Do no men take their meals at public-houses in Bedford?—Very few; I should think it was very rare indeed.

4931. I presume there are some?—There may be some, but very few, who lodge at a public-house. When they first come into the town to get employment, they may for the first week take a lodging at a public-house, but they soon get tired of a public-house, and would rather retire to a private house where they could lodge.

4932. When they lodge in a private house, is there always accommodation for them in that private house to have their meals and their drink and so forth?—Yes, always.

4933. You stated that during the prohibited hours at Bedford there is a great deal of drinking?—Yes, there is a great deal.

4934. If there is a great deal of drinking now, when a small number of hours are prohibited, do not you think there would be more illicit drinking if all the hours were prohibited hours?—I do not think there would be more drinking than there is now, nor can I think there would be so much, because the men get drinking in any hole or corner wherever they can until the house is open, and as soon as they can they flock into it; but when they know that there is no house for them to get into, to a great extent drinking would be done away with, and thinking men would turn their attention to something better.

4935. You do not think they would not continue in the hole and corner drinking?—They would not be seen about anywhere; I think it would be the means of preventing a very great deal of it.

4936. However, you are not quite sure about it, you only think so?—I am not quite sure, but I should not think they would.

4937. You have spoken about the outskirts of the town, where young ladies go; is that to take a walk, or what?—It is done in this way: you say servant girls, mostly, on Sunday evening, are allowed to go out, and they go for a walk, and being connected with young men, they take a walk out together to a certain distance, to a village, perhaps a mile and a half or two miles from the town, where the public-house is open, and if you go into the parlour you will see 20, 30, or 40, young men and young women, sitting and taking their glass together. After sitting for some time it comes on perhaps, dark in the evening, and there is no doubt that many instances occur of many young girls having been ruined by such a system of going out on the Sabbath in the evening.

4938. Young women are ruined from a great many reasons besides that, are they not?—Yes, there are other reasons besides that.

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4939. But

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4939. But are you aware, that according to the view of the promoters of this Bill, if those persons walked out to a distance of two miles from the town of Bedford, on Sunday, in the country, they would be travellers, and would not be included in this Bill?—They could not go into a public-house, by the Bill, and sit down.

4940. The promoters of the Bill say that they could, that the traveller is not interfered with?—I do not see how they could come under the definition of travellers.

4941. The judges say that they could, if they go away from the place where they reside, whether for business or for pleasure, they are considered to be travellers, and a publican is bound to receive them into his house and give them refreshment; and therefore, I am afraid that this Bill would not protect those young ladies, because it would not apply to them. What sort of houses are those that you speak of, is there any amusement at them?—No, there is no amusement at the public-houses.

4942. Is there any amusement for anybody at Bedford?—There is no amusement at Bedford at the public-houses on the Sunday night; the only amusement which many associate together for is, perhaps there will be some one to read the papers when there is anything very particular going on, and conversations on all kinds of subjects.

4943. Of course, at Bedford, there is no park or anything of that sort, is there?—No.

4944. The people can go out into the open country, and that answers the same purpose, as it is only a small town?—It is a small town.

4945. How many inhabitants are there in Bedford?—I cannot call to mind how many inhabitants there are in Bedford; I do not remember.

4946. Rules which would be beneficial in Bedford, might not be beneficial in large places, might they?—I cannot say as to that; but I think they would be beneficial to the country at large.

4947. You say for instance, that there are no lodgers in Bedford, whereas in London, you know there is an immense number of lodgers?—Yes, I know what London is; I lived in London 12 years.

4948-9. Did you lodge when you were in London?—I was in lodgings when I was in London.

4950. Did you take your meals at home?—I did not.

4951. Where did you take them?—At a cook-shop generally, or a public-house.

4952. If you were still living in London under similar circumstances to those when you lived in London formerly, it would be an inconvenience to you if this Bill should be passed, would it not?—I do not know that it would; because when I used to go to a cook-shop to get my dinner on Sunday, I asked them to send for a glass of ale, or a pint of ale for me, and I could always get it; I gave them the money, and they used to fetch it for me, so that it would not inconvenience me at all.

4953. Except in the morning up to one o'clock, and during the afternoon service, when you could not have it, you could procure it at any other time of the day?—Yes; but of course, a working man does not want to be drinking all day.

4954. But he wants to take it with his meals, and he does not always take them at the same hour?—Working men generally do, unless it is

done this way, as I have done myself many times: On the Sunday, when I was in lodgings, we used a few of us to meet together, and have a bit of a walk sometimes in the morning for a little conversation, and we used to wait till the public-house was open, and then go to the public-house and sit there perhaps for an hour, or an hour and a half drinking at the bar or somewhere else, and then after that, we would go to a cook-shop to get our dinner; and many of us after that would go home to our lodgings and lie down on the bed and have a sleep, and go out again in the evening.

4955. If you did that, there was no harm in it was there?—No; and certainly not any good.

4956. They would not be able to do that except by going home to their lodgings, and lying on the bed, that would be the only place that they could go; it would be an inconvenience to those people would it not?—No, I do not think it would.

4957. However, whatever laws are passed, you think people must accommodate themselves to them?—Yes, I do.

4958. Whether they like it or not?—I think they would accommodate themselves to it.

4959. You are not quite sure about it?—No, I could not be quite sure about it.

4960. *Chairman.*] What situation do you hold in Mr. Howard's works; are you a leading man?—Yes.

4961. Not a foreman?—No, not a foreman exactly; but leading man in the pattern-makers' shop.

4962. You think that you know the general feelings of the workmen?—Yes; I know the general feelings of the whole of them, I dare say. I have been very much mixed up with working men, and I am always having conversations with them on something or other.

4963. I quite understand from you that the working men with whom you are acquainted, are quite willing to have restraints put upon them, to assist them in keeping clear of bad habits?—They are quite willing.

4964. I understand you, that those who feel that they cannot restrain themselves, are willing to submit to restraint; but you do not think that they are unwilling to put restraint upon others who do not wish to be so restrained?—No, I do not think they would be unwilling to do so.

4965. Do you yourself think that it is fair to force anybody to do that which he does not wish to do?—I hardly know how to answer a question of that description. If I think that I see my neighbour running into a ditch, or doing that which I know from experience to be detrimental to him in every shape and form, and likewise to his family, if he was not cognisant, or did not know sufficiently what was best for his own good, and I could do anything to benefit him, I should be very proud and happy to do so; and I should think I was doing my duty.

4966. Do you not think that there must be always a certain amount of freedom of choice; of course you are taking an extreme case, when you say that you would like to restrain a man whom you saw going to the dogs; but, supposing a steady-going man, who could trust himself, has certain habits, for instance, likes to go and take a glass of beer at a public-house on Sunday afternoon, do you see any difficulty in the way of saying to that man, you shall not do so?—I do not feel prepared to answer that question just now

4967. Because

4967. Because, you see, it is the whole question; the question is, whether it is right to put it out of a man's power to do what at present he has a right to do. Of course, you must not always look at extreme cases, such as that of a man who wanted to get and to drink to excess; but take what I believe to be the majority of the people, those who use their opportunities fairly, are you quite sure that all of your friends think that it is right to put it out of the power of a man to go and drink moderately?—But I am quite sure of this, that no great good could be brought into action without a corresponding amount of evil or unpleasantness to some parties. As to those who wish to take their glass of ale on Sunday afternoon, I do not think that the cases would be a great many, because they would have the privilege of taking it at home if they thought proper.

4968. Do you think that some good would be done if public-houses were open for four hours in the day only, and to let men go and drink there, or take drink away, as they like; do you think that would be a step in the right direction?—To take it away from the public-house; not to be allowed to sit down on the premises.

4969. That is what the Bill proposes; but do you think it would be a step in the right direction if they were only to be open for four hours; and that those who went there might either drink what they bought there, or take it away as they liked best?—That would be something like what it is at the present time; there should be no drinking on the premises.

4970. No, they are opened eight hours; the Bill proposes to have them only open for four hours for the sale of drink not to be consumed upon the premises; but supposing that you were to keep them open for four hours for all purposes, and allow drinking on the premises for four hours as well as to take it off, would that be an improvement?—I do not think it would be so good as not letting them drink on the premises at all.

4971. You think it would be so little change that it would not be worth making?—I do not think it would.

4972. Mr. *Horsfall*.] Do you think that the opinions which you have given to this Committee as being the opinions of the working men with whom you associate, represent the opinions of the working men generally of Bedford?—Generally, they do, I think.

4973. You further stated, did you not, that there was sufficient accommodation for lodgers to have meat and moderate drink in their lodgings?—Yes, the public-houses are so close on the spot that they can have no difficulty whatever; they have a very few yards to go to almost any house in Bedford at which they can get what they want.

4974. And do you consider that the dwellings of the working classes in Bedford afford sufficient accommodation for moderate drinking?—I do.

4975. You were asked by the Honourable Member for Southwark whether you would not find it inconvenient if you were again in London to find the public-houses closed; you said it might be inconvenient, but I presume you would be willing to submit to that inconvenience for the public good?—I would be very glad to do so, for no one can have any idea of the evils but those who are continually seeing it.

4976. Have you seen anything of the evils resulting from working men drinking on Sundays?—I have.

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4977. Both to themselves and their wives and families?—Yes, I have.

4978. Is there much drinking amongst the younger members of the family, from 16 to 18 years of age?—There is a great deal of drinking amongst young people at Bedford, as long as a place is open; perhaps, there may be only one young person in a public-house, but he sees another go by, and seeing him go by, he calls him in at the window, and that induces another, and that another; and many by that means who started out, to go to other places, have been stopped on the road, and they have stopped at the public-house and spent the whole time there, as long as the houses were open. I know that to be a fact.

4979. Is the law at present pretty well observed by the publicans themselves at Bedford?—I know that it might be better observed.

4980. Is there any secret drinking in the prohibited hours do you think?—There is.

4981. Is there an increase of that do you think?—I do not know that there is any increase; there has not been any increase for some years. It is the same as the general thing. On Sunday morning, people are always on the look out for where they can get something to drink, and they get it by some means.

4982. I collect from your evidence that you are very decidedly in favour of the Bill now under the consideration of the Committee?—I am.

4983. Would you prefer that Bill going further, and having public-houses entirely closed on Sunday?—I should, for my own part, as far as my own individual self goes. I should like to have public-houses closed altogether, on Sundays, but I should be quite willing to accept the bill as it is.

4984. You would be very glad to accept this as an instalment?—Very glad indeed.

4985. Mr. *Knatchbull-Hugessen*.] Did I understand you to say that you have been a publican yourself?—Yes.

4986. Did you close on Sunday then?—No, I did not.

4987. You came to that conclusion after you ceased to be a publican?—At that time the other publicans kept open; as long as my neighbour was open and took a shilling, I was also ready to do the same thing.

4988. Subsequent reflection strengthened your conviction that it would be better to close on Sunday?—Yes.

4989. You stated that men were in the habit of delaying at the public-house, and coming home and finding the dinner spoiled, and that something unpleasant was apt to occur?—Yes.

4990. I suppose, whenever they were delayed in coming home, and kept their wives waiting for dinner, something not very pleasant might possibly occur?—I have known instances of what I speak of. A man has been at a public-house as soon as the house was open, and he has stopped there, perhaps, until the house closes again in the afternoon at three o'clock; and when he went home he might be the worse for what he had had; perhaps a word has come from the wife, and one thing has followed another, and both wife and family have suffered for it to a very great extent.

4991. But the unpleasantness occurred owing to his keeping his wife waiting for dinner, and not, necessarily, on account of his having indulged in any great excess?—Not only that, but it has

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come to illtreatment from the very thing, by the man being the worse for drink; because, when a man is the worse for drink, he will do what he would not do when he was sober, but would be ashamed of.

4992. But the inference which I draw from that is, that it is desirable that men should be punctual at their dinners?—Yes.

4993. A public-house is one among other things which may attract a man, and by causing him to delay, may interfere with the daily arrangements of his household, and naturally create some unpleasantness therein?—Yes, that is so.

4994. You told us that there is a very great attendance on Sunday afternoons in public-houses in Bedford?—Not Sunday afternoons; Sunday evenings, I meant, because they close in the afternoon at three o'clock.

4995. If there is a very great attendance on Sunday evenings in the public-houses in Bedford, any legislation which prevented that course of people would be a considerable interruption to their habits, would it not?—But by the young people assembling in the public-houses on the Sunday evening, it prevents them from going to other places, whereby they might gain more good perhaps; and it also is calculated to induce them to get too much to drink, whereby they are not prepared for their labour on the following day.

4996. If people are prevented by legislation from doing that which they are constantly in the habit of doing, that is an interruption to their ordinary habits, is it not?—Yes, it is.

4997. You spoke about preventing your neighbour from going to a public-house as you would prevent him from running into a ditch; let me ask you, supposing you yourself were disposed to run into a ditch, which should you attend to most, the man who came to you and said, "My good fellow, that ditch is a very bad place for you to go into; let me persuade you not to go into it;" or the man who stood before you, and violently attempted to control your going, and threatened to give you into custody if you went into the ditch?—Perhaps if a man were to come to me, and try to persuade me from a certain thing, I would not be able perhaps to take care of myself, and I might go so far that I might get into the ditch. It is a difficult matter sometimes to persuade a person to do a thing, whereas sometimes main force prevents him from getting into very great danger.

4998. Main force exercised in that manner might control his actions for the moment, but would it not be likely to create within him a spirit of resistance, and make him more likely to go into the ditch when he could go when you were not there to stop him?—If I could get hold of the man when he was in his proper state of mind and was himself again, and talked to him in a quiet manner, I might be able to persuade him, perhaps, although he might for the moment think that I was taking undue steps to prevent him from doing what he approved of himself.

4999. On the whole you prefer legislative coercion to moral persuasion?—Yes.

5000. You told us that people are always on the look out for where they can get something to drink?—Yes; those who indulge in drinking to excess. There are plenty of moderate people who

take a glass of ale, who of course do not look out for this sort of thing, they can have it at home; there are plenty of facilities for working men in Bedford to have small barrels of ale at home on their own premises. There are lots of little brewers where the people can have a small barrel of ale, and save them sending to the public house at all.

5001. Do you think it is wise, for the sake of of those who I am sure are comparatively few in Bedford, who are immoderate, to put a check upon all those moderate people?—I think drunkenness should be checked in every shape and form, where we can.

5002. But you do not check drunkenness, if you prevent a moderate man from taking his glass of beer?—I do not prevent a moderate man from doing so, because a moderate man can always get it.

5003. Unfortunately you cannot legislate for the immoderate man, without touching the moderate one?—The moderate man can always have a glass of ale, because he can always have it in his own house, without any difficulty or any danger of drinking to excess.

5004. Mr. Evans.] Have you spoken to the keepers of public-houses in Bedford upon this subject at all?—Some few; I have not spoken to a great many.

5005. Have you ascertained at all what are the feelings of those whom you have spoken to?—I said, what objection should you have to their being closed, so that liquors should not be drunk on the premises; and they said they would rather see them closed altogether, a great deal.

5006. In fact they would like to have their holiday on the Sunday?—Yes; a great many publicans would like to have their one day for rest the same as any other person would.

5007. You say you have lived in London a great many years?—Yes, 12 years.

5008. Did you keep a public-house in London?—No, I was employed in the building trade in London.

5009. Are you able to form an opinion as to what the working men of London would think upon this subject?—I should say, generally speaking, perhaps the working men in London would feel that it was taking some of their privileges away; and I should, myself, at that time; but I have altered my views on that subject; I think it is very desirable, because if persons can be led not to frequent public-houses so much as they do, and to study their own interests and the welfare of their families, and those connected with them, it would be one means of the working classes generally being a far superior class to what they are now; I believe that the working classes have been falsely characterised by many.

5010. I think I understood you to say that you believe that, on the whole, there has been a great improvement amongst them, at all events, at Bedford?—There has been a great improvement since the last restrictions were made as regards the hours of public-houses being open on Sundays.

5011. There has been a great improvement as far as drunkenness is concerned, as well as other things?—Yes.

5012. Which you attribute to educational and other influence of that sort?—Yes.

The Reverend THOMAS DE VINE, called in; and Examined.

5013. *Chairman.*] Of what church are you the clergyman?—Of St. George's, Newcastle-under-Lyme.

5014. *Mr. John Abel Smith.*] Have you taken an active interest in the well-being of the people around you?—Yes; especially of the poor people here.

5015. Have you brought with you the results of a canvass at Newcastle?—Yes, I have.

5016. Was it carried on under your own eye, very much?—Yes, it was.

5017. And you took every possible means in your power to secure its being honestly and faithfully done?—It was so.

5018. Do you know what the population of Newcastle is?—The population is now about 4,000; it was 12,700 at the last census.

5019. They are generally employed in the pottery trade, are they not?—Many of the inhabitants there are employed at the potteries; they go out either to Burslem, or to Stoke. I ought to have said here, "Etruria" as well, or Longton.

5020. Will you state the results of the canvass, and anything which you would wish to give evidence upon, with respect to the pains taken to secure an honest return?—The number of houses in Newcastle is 3,200, and bills were left at every house, except a few which were empty.

5021. Were they voluntary or paid agents?—Voluntary agents. After a lapse of three days the bills were gathered in, on each bill there were three columns stating, "In favour of total closing," "Not in favour of total closing," and "Neutral," and the paper was to be signed by the householder, signifying in either column what his view was respecting this subject.

5022. What was the result?—1,863 in favour of total closing; opposed to closing, 131; neutral, 36; refused to fill the paper, 262. Many of the other bills were unable to be gathered, owing to the parties being out, or some of the papers had been lost, or the children had torn them, and some could not sign their names, and it was not done at the time of the agent calling for the bills, because he had to do nothing but gather them.

5023. Generally speaking, do you believe that to give a fair picture of the feeling of Newcastle?—I do, most decidedly.

5024. Is that shared by all the professional and magisterial people there?—The feeling of the magisterial bench, is in favour of further restriction; not total closing.

5025. Are you personally in favour of total closing, or of the Bill before the Committee?—I am in favour of total closing, but I would be glad to accept this as an instalment towards it.

5026. Do you know anything of the general feeling of working men in favour of restriction?—They are more in favour of total closing, as far as Newcastle is concerned. In order to make sure of the working men on this point, a workshop canvass was made, and its results were—238 for total closing; opposed, 8; neutral, 6; refused to take part in it, 8. I may also observe, that 42 keepers of public-houses took part as follows—15 for, 22 against, and 5 neutral.

7027. *Mr. Locke.*] Who were the persons that signed?—The householders.

5028. *Mr. John Abel Smith.*] Are there many lodgers in Newcastle?—Yes, there are a great many.

5029. Were any addressed to them?—No.

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Monday, 25th May 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. John Bright.
Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.

Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

Mr. GEORGE POTTER, called in; and Examined.

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5030. *Chairman.*] You are Secretary to the Trades Union League, are you not?—No; I am President of the London Working Men's Association.

5031. *Mr. John Abel Smith.*] I suppose there are few men who have had a wider intercourse with the working class than you have had?—I have had a very large connection with them.

5032. And you take the deepest interest in their well-being and good?—Yes; I take the deepest interest in their well-being.

5033. Are you strongly in favour of temperance amongst that class?—I am very much in favour of temperance.

5034. Are you acquainted with the details of the Bill introduced by me into Parliament and referred by Parliament to this Committee?—Yes; I understand that you wish to limit the opening of the public-houses on Sunday by several hours.

5035. In order to prevent any possible misunderstanding, you are aware that the provisions of that Bill restrict all drinking on the premises on the Sunday out of London, and further, that it opens the public-house for two hours in the middle of the day from half-past 12 till half-past two, and again in the evening from eight to ten, for the purpose of buying beer across the counter?—So I understand them.

5036. Do you view this Bill with disapprobation or not?—I view it with approbation.

5037. Do you believe that it will generally be received with favour amongst the more respectable class of working men?—I believe that amongst the respectable and intelligent and thoughtful artisans of the country, it will be received with much favour.

5038. Do you believe that Saturday night and Sunday drinking have been a very great drawback to the improvement of the working men?—I believe that to a great extent they have, although during the last 10 years there has been a very great decrease of drinking amongst the most advanced and intelligent artisans; but I am afraid that that decrease has not yet reached the unskilled labourers of the country.

5039. You believe, therefore, that restriction in that respect might be carried further with benefit to the labouring men?—Yes, I believe that it could be carried further with benefit not

only to them, but to other classes of society also.

5040. If such a Bill, as I have described, were passed into a law, should you have any apprehension of public violence or disorder or resistance to it on the part of the working classes in London?—It is very probable that some of the unskilled labourers and the lower classes would endeavour to create dissension and dissatisfaction, led by those who oppose the Bill; but I think that that would be very much outweighed by the large number of the intelligent and thoughtful working men who would be in favour of the Bill.

5041. And who would set themselves against any public resistance to it?—Who would do all they could to discourage any such resistance, and endeavour to show by argument that it would be for the welfare ultimately of those who would show the resistance.

5042. As you have watched the working classes carefully, can you speak as to the fact that a great improvement has taken place within these last 20 years?—A very great improvement in many directions. The artisans with whom I have had to do, have been spending a good deal of time in endeavouring to reduce their hours of labour, and by that means, they have become very much more provident and temperate, and they have advanced their social condition and their moral position greatly during the last 10 years.

5043. Do you believe that shortened hours of labour are very much in favour of the improvement of the working men?—Very much; because it leads them not only to improve themselves by the rest which they have from less work, but it gives them a sympathetic feeling with other classes who have still very numerous hours to work; and for that reason I believe that the respectable, intelligent, and thoughtful artisans would like to see the waiters and servants in public-houses have a day of rest, not merely for religious, but for moral considerations.

5044. Do you believe that improved education has had a great effect in elevating the character of the working men?—Undoubtedly the extension of knowledge amongst them has been of great advantage; and I believe that since they have had the enjoyment of shorter hours of labour they have given much of their time to reading; but there is a large class yet who have not had this

is privilege and benefit, and I believe that this class of unskilled labourers may consider this an innovation to some individual rights; but ultimately they would see that it would be for their advantage, and that it would give them an opportunity and a desire to become more intelligent, that their position would rise in the same ratio as the artisans above them.

5045. You are the editor, I believe, of a newspaper that is very largely read amongst them?—I am the manager of the "Bee Hive" newspaper.

5046. Do you find that subjects having reference to moral and social improvement interest a class of men in the workshops; that is to say, the those articles which are published in your newspaper read with interest by workmen?—They are read with great interest. Our paper is circulated amongst the most intelligent and thoughtful class of artisans, and they very much approve of all those moral and social questions that are tending to elevate the class to which they belong.

5047. Certain restrictive laws now exist with reference to drinking, particularly on Sunday; you believe that those restrictive laws, as far as they have gone, have been beneficial in their operation?—I believe they have been greatly beneficial.

5048. Do you believe that they may be carried further with benefit to the working men, and to that class in whom you take so much interest?—I believe that they could. Although the Bill suggests that the public-houses should close at 10 o'clock on Sunday evening, if I had any influence with the promoters of the Bill, I should suggest that they might extend the hour from 10 till 11, and I think that would do away with a great deal of opposition.

5049. Do you think that 10 is too early?—Yes, for this reason: that some of our artisans who go on excursions on Sunday do not get to town, perhaps, until 10 o'clock; and it would then give them another hour, which would enable them to obtain refreshment when they arrived in town, and would do away with a great deal of the opposition which they now have to the Bill in losing from five till eight.

5050. But, generally speaking, knowing the working class in London, as, I presume, no other man does, you give your general approval to the principles and the details of the Bill?—Yes, for this reason, that I believe it would be useful to labour which I represent to a great extent, and to the class to which I am attached, and which for many years of my life I have endeavoured to improve and to advance; and I believe that in favour of that class and in favour of labour, it would be most advantageous.

5051. Mr. Baines.] You are aware that persons going on excursions have an opportunity as travellers of obtaining refreshment up to any hour at which they may be out on Sunday evening; do you think therefore, that that being the case, it is necessary for them to have the hour after 10 o'clock for the public-houses being open in London?—Yes, I am aware that they could take advantage of that; but I suppose generally excursionists think that they being so numerous a body, they would find it difficult to get a house opened after it has once closed to give them the refreshment which they desire and think they ought to have. It is only to disharm some oppo-

sition to the Bill, which I think is more imaginary than real, that I made this suggestion.

5052. It is not then your own opinion that it would be positively for the benefit of those who thus return from excursions to go into public-houses instead of going into their own homes?—Not my opinion, because I think that most of those who go on excursions on Sunday have some kind of refreshment in their own homes. The Honourable Member is, no doubt, aware that now many of them keep a small cask of ale, or bottled beer, and other kind of refreshments, which they could have in their own homes; but I suppose it is from the desire not to leave the company that they are with immediately and directly that they wish to stop at some of those houses instead of going direct to their own home.

5053. Is not that company, and are not those public-houses just what tempt and seduce them into excess, and do them the greatest possible injury?—I have no doubt but what it does.

5054. Do not you think that they would be better qualified to go to their labour in good time on Monday morning, if they had gone to their own homes at 10 o'clock rather than to the public-house?—Decidedly, I am of that opinion; because when I used to go on excursions on Sunday, which I formerly used to do, I know that I used to get to my work on Monday morning very much more weary and exhausted than when I left it on Saturday night; and I believe that the generality of those persons do so; and, therefore, I think that it would be immensely to their advantage, both physically and morally, to go home, instead of calling at a public-house after they have returned.

5055. Do you think that the quiet and the repose of the Sabbath-day for a working man, among his own family, would be more beneficial to his health than taking those long excursions and going to the public-house?—Yes, I am decidedly of opinion that it would be very much more beneficial.

5056. Have you been a Sunday-school teacher?—Yes, and I am one now.

5057. And you have been so for many years, have you not?—Fourteen years.

5058. Have you known that the Sunday opening of public-houses has been the means of doing serious injury to many Sunday scholars?—There has been no particular example come under my notice, in the case of any that I have been acquainted with; but I know, from observation, that it is undoubtedly injurious to the morals of young men, and has been very detrimental to their future career.

5059. But in your own class you have not had any instance?—Not any individual instance.

5060. But you know, from your own observation and that of other persons, that it has been so?—Yes.

5061. Mr. Locke.] You state, I think, that a great decrease in drinking has taken place of late years?—Yes, amongst respectable, intelligent, and thoughtful artisans.

5062. But amongst others too, has there not, amongst the labouring classes?—I am afraid that it has not reached to a great extent amongst the unskilled labourers, and the masses of the people.

5063. But has it reached to any extent; are they not less addicted to drinking than they used to be?—I think I should be just in stating that there might be some small improvement.

5064. But you do not see so many drunken people

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people as you used, do you?—No, we do not see so many drunken people. I believe that getting drunk on the premises has decreased even amongst that class.

5065. Since when have you observed that that decrease has taken place?—During the last 10 years.

5066. That has been without any coercive measure, has it not?—The public-houses, of course, have been closed on Sunday. I do not, from memory, know what year it was that the Act came into operation; but whether it was previous to 10 years or subsequent, does not alter my opinion that during the last 10 years there has been less drunkenness.

5067. Do not you anticipate that that will go on?—I anticipate that it would go on if the hours of closing were further restricted and education extended. I believe that it would go on very much more rapidly by closing public-houses more on the Sunday than it would do if they had the same access to them that they have now.

5068. Are you aware that the drinking on the premises, that is to say, in public-houses, is interdicted altogether on the Sunday, by this Bill, in the country?—Yes, I am aware of that.

5069. Do not you consider that that would be an inconvenience to persons?—I do not think that it would be a real inconvenience; if it is a question of a matter of drinking, we believe that tea, and other things, would be as useful as beer.

5070. Then you would not stop it?—I believe that drinking in their own homes would be much more advantageous to them than drinking in the public-house on Sunday; and I do not think that it would be a real disadvantage, at least not to the class of labourers. I think it would be an advantage.

5071. However, you state that those who came home at 11 o'clock would think that a much more convenient hour than 10 for the public-houses to shut?—I suggest that it should be extended to that hour, because I think that it would be taking away an imaginary ground of opposition from a large class of persons, who, probably, would not oppose their being closed from five to eight.

5072. You have been asked whether those men are not very much more tired on the Monday, in consequence of going out on excursions on the Sunday, and I think that you stated that you always felt yourself more tired on Monday in consequence?—I consider that excursionists do the hardest work that can possibly be imagined, whether it is seeing pictures, or whether it is seeing fields, or whether it is going through galleries; no matter what it may be, I believe that it is the hardest work a man can possibly do.

5073. Do you not think it is very good for their lungs?—Probably it may be.

5074. Whatever opinion you may have with regard to beer and spirits, do you not think that fresh air is a most excellent thing for a man?—Undoubtedly it is.

5075. Do you think that he can get it in his own house on Sunday, or any other day?—Not in his own house. I do not think he can do that, because the homes of our working-men, in London, are miserable dwellings. I do not think that much fresh air is got in them; but we have great advantages in our parks, and in many other places where a man can walk and take his family to, where he can get fresh air; it may be sceptical,

on my part, but where he would get as fresh as he would in many country districts.

5076. To a good many of our parks he would have a good long way to walk?—Yes.

5077. And he would be almost as much tired merely walking all day in the park as if he were taken into the country by the railway?—It depends entirely upon how he adopted the means. He might walk himself till he dropped down; he might walk leisurely and quietly, so that he might return home really refreshed from his walk. It all depends upon how he uses it.

5078. That he might do if he is taken out on a railway into the fresh air of the country?—Yes.

5079. But supposing he gets so tired that he is determined to take it out on the Sunday, walk to a tremendous extent?—Then certainly he overdoes it.

5080. If he did it in a moderate way, do you think that it would be a very great advantage that he should have an opportunity of taking those excursions on Sunday?—As to myself, I do not approve of them. I am not so great a Puritan about these things; and I should be very sorry to do or to say anything that I thought would restrict the advantages or liberties of fellow-workmen; but I speak from practical experience, and I believe that he can get quite much good in London as he can get out on Sunday during the hours of Sunday.

5081. Do not you think that change is necessary for persons?—Yes, and I should like all working men to have this change, by having labour on the week-days, and by having national holidays, whereby they might take advantage of this change of air; and that would do more credit to us than the Sunday excursion, and more advantage to the people.

5082. I believe that until very recently there were a certain number of persons in London who had never seen the sea?—Yes; and I have doubt that there are many still who have never seen it.

5083. But they are nothing like so many they were. And do not you think that it might enlarge a man's mind, when he goes down to the sea-side, and is amongst scenery that he has never had an opportunity of seeing before?—Undoubtedly. I do not think that any person, if he got anything like a thoughtful disposition, or kind of intelligence, can see any of those great works of nature, without being benefited by them. But there are times for all things, and all things should come in their times and seasons.

5084. Then your proposition would be that during the week there should be holidays aside for those recreations?—Yes.

5085. Then what would you propose that a working man should do on Sunday?—Rest himself, and read those books and works which would improve his mind; I think that Sunday naturally should be entirely a day of rest. I do not advocate this Bill on a religious principle at all, but on a moral and social principle; and I believe that Sunday is a day for rest, and that our recreation should come on other days.

5086. Still on Sunday he must eat and drink?—Decidedly.

5087. I suppose that rest would not do him much good if he had nothing to eat or drink?—Certainly not.

5088. Have you given your attention to the hours (taking the metropolis) during which the public-houses

public-houses would be closed; that is to say, there would be three hours and a-half in the day during which a man might obtain liquor from the public-house and take it to his own home, and it is limited to that?—Yes.

5089. You are no doubt aware that besides the skilled artisans, there is another very numerous class in London, namely, lodgers who take all their meals out of their own lodgings?—Yes.

5090. Do you think that it would not be inconvenient to them?—It depends upon the hours in which they wanted to drink, because this Bill proposes that the public-houses shall open at half-past 12 and close at half-past two.

5091. At present they open at one in London and close at three?—Yes.

5092. That would remain precisely the same?—Yes.

5093. Then they are closed again by this Bill till eight?—Yes.

5094. At present they are closed till five?—Yes.

5095. A great many of those people would be wanting something, would they not, between those hours, say half-past two o'clock and eight o'clock, with their meals, and would not it be an inconvenience to them?—I should think that it ought not to be; it would not be the least to me or to many more working men that I know; if we drink as much as we want between one and half past two, that is an hour and a-half, and I think we could do very well without any stimulant drink till eight o'clock.

5096. Then you are presuming that that is the time that all take their dinner?—Yes, all working men.

5097. There is a certain class of persons, is there not, who do not dine at that hour?—Then of course they could have it in their own homes as they do now by bottle; there is bottled ale to be got almost as cheap as draught ale. There are many of them who get bottled ale, and prefer it, especially in the summer, because it keeps better, and I think on the whole bottled ale is more economical and cheaper at 3 d. a pint, which they would have to give if they got it draught.

5098. They could get a quart of draught beer for 4 d., could they not?—Yes.

5099. Then that reputed pint, which has a very bad reputation, would not certainly approach in quantity an Imperial quart of beer which you say would cost 5 d., and the other would cost 4 d., so that a man would be obliged by this Bill to pay the difference?—Yes, or he could buy it in his own bottle on the previous night. There are many ways of doing it, and which are resorted to by a large class.

5100. A man having to do all these things which probably he may not wish to do, causes an inconvenience to him?—Yes; but then the consideration is whether the individual inconvenience is not a great public good.

5101. That is the question, whether it is so or not; you say that without all these inconveniences being imposed upon people, the great bulk of the artisan class have left off drinking to a great extent?—I do not know that they have done it without that altogether; it is probable that those who were induced to leave off drinking on Sunday, or to drink less on Sunday, were induced to do so by the Act which is now in existence for closing the public-houses, and I have no doubt that very many would be induced to

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leave off to a great extent if there were further restriction.

5102. If all drink was abolished nobody could drink, but that is a thing which you would not advocate, would you?—No; you are quite aware that people say that we should never have any good measure without some people having their individual rights touched, and without, perhaps, some little inconveniences occurring to some few or other; but if we are to wait before any good measure is done, till no inconvenience is suffered by any one, we should have to wait a long time.

5103. Would you go to the extent of total closing?—At present I would not.

5104. Are you in favour of it eventually?—I should be in favour of the total closing of the public-houses on Sunday by and by.

5105. On all days in the week?—No not on all days in the week.

5106. Are you in favour of the Main Liquor Law?—No, I am not.

5107. Then you merely say that Sunday should be a day of rest, and therefore you would close the public-houses altogether on Sunday?—Not at present; but by the progress of intelligence and sobriety ultimately, I believe, they will be closed all day on Sunday.

5108. And you would desire that?—Yes.

5109. Have you really contemplated the inconvenience to which a vast number of people would be put if that were carried out; persons who do not commit excess; who can command themselves; who you know by their habits, do not get drunk or anything of the sort; do you think it would be a fair thing to all that class of men who really are reasonable men, that an Act of Parliament should be passed coercing them, and saying you shall not drink any liquor on Sunday?—It is not proposed to do that.

5110. If you carry out this you will close the public-houses altogether?—I am now giving my opinion upon the proposed Bill, not upon a Bill which might come seven years hence.

5111. But in a degree, although not to so great a degree, this Bill would act?—I believe this Bill will give to all who desire to drink as much time as they would require to drink on the Sunday.

5112. But they would not be able to drink on the premises at all on the Sunday under this Bill?—Just so.

5113. You do not think it necessary that they should?—No.

5114. Are there not a great many men in your association who do not entertain the same views that you do?—I have no doubt that there are some.

5115. I have heard that your secretary does not?—Very likely he does not. I think that he is rather in favour of drinking on Sunday. You will quite understand me that I admit that there are many men who are against the Bill, but I believe that the class to which I belong are in the majority in favour of the Bill. That is my decided opinion.

5116. Have you read the Bill?—I have read the Bill through.

5117. You have not given your consideration to the effect of the Bill in the country, I suppose?—I have given my consideration a good deal to that. I have been to see the people of nearly every large town in the country, and I have had large connections with the working men, and with the publicans in those towns.

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5118. Do

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5118. Do you think that the publicans would wish it?—I believe that there are many publicans who wish it. I believe that there are many publicans who would be in favour of closing their houses of business all the Sunday, and I think it is possible that they will get up a movement in that direction. I have gathered that from Liverpool, Manchester, Bristol, Leeds, and many other places where I stay. I generally stop at a public-house when I go. I am not a total abstainer, I am a moderate drinker, and I stop generally at club-houses where our associations meet, and I have frequent intercourse with those publicans and licensed victuallers. Some of them, of course, are not in favour of the Bill, but there are very many who have come across my path who are in favour of the Bill.

5119. You do not think that you want this Bill yourself, as far as you are concerned?—I do not want it: decidedly not; because if all the public-houses in England were open all day on Sunday, I should never go in one.

5120. That is the case with a great many; you are not singular, I believe?—No, I am not; I am very pleased to say that there are thousands and tens of thousands of my own class who are of the same opinion.

5121. Do you think that you have sufficiently considered the case of those persons who really, not for the purpose of getting drunk, but for objects of necessity, require those places to be opened?—I believe those who would give their opinion in favour of the Bill, and who would not use the public-houses if they were opened, do it with the feeling that it would be beneficial to those who would use them. I think it is a good example which they would set and do set, and I believe that the restrictions which might be imposed upon them, perhaps against their will at first, would gradually grow to be liked by them, and would be admitted subsequently to have been advantageous to them.

5122. Is it not your experience that all men prefer being led to being driven?—Undoubtedly.

5123. Do not you think that this is rather a driving Bill?—To some extent it may be looked upon as such. All innovations are looked upon as driving matters.

5124. All innovations which interfere with a man's right to do as he pleases are driving Bills, are they not?—Yes. When you come to a distinct individual right, you come to a question which many of us would disagree about.

5125. You are aware that the first axiom of law is that a man is to use his own as he pleases, provided he does not hurt anybody else?—Just so; but the men who spend a great portion of their earnings in drink on Sundays hurt their families and injure society.

5126. And that is a good principle, is it not?—No doubt of it.

5127. This is not exactly the principle of this Bill, is it?—I believe it is a debatable point when we come to abstract right, what is good or injurious to others. I believe that there are many of those debatable points which will have to be settled by the example of those who wish to do away with them. I have no doubt at all but that in time it would have a great effect, and that we never should accomplish otherwise the good that this Bill would do.

5128. You think it is absolutely necessary that there should be this restriction?—I think

that it would be decidedly advantageous and necessary for the good and prosperity of the community that it should be so.

5129. You are aware, are you not, how they treat these things in America?—Yes.

5130. They have not succeeded very well, have they?—They have not.

5131. You stated that this Bill was good for other classes besides the artisan class and labourers; to what class did you refer?—I referred to the class of publicans themselves and to their employées. I believe that it would be morally advantageous to them, and in the end I do not think that it would be pecuniarily disadvantageous to the publicans. I think it is the duty of us working men who desire to have our time of labour reduced, that we should have a sympathetic feeling with other employées, and that we should try and get them a day of rest or some hours of cessation from labour, and I believe that thousands and tens of thousands employed in public-houses would have that if this Bill were adopted, whereas now they have not.

5132. Do not you think that a Bill enabling them to close their public-houses on Sunday would be sufficient; you know that now a publican is bound to open his public-house, and to give refreshment, food or drink to any persons who choose to apply within the hours which are not prohibited?—I do not quite understand your question.

5133. A publican now cannot close his house; he is bound to keep it open; but if a publican were enabled, if he chose, to close his house on Sunday, do not you think that that would be sufficient to meet the views of the publicans at any rate?—I do not know whether it would meet them; I dare say it would; I cannot say how far it would meet the views of the trade.

5134. It would meet the views of any man who wished to shut up?—As to the publicans themselves, it might meet the views of some of them; but you know that it is a saying in business, no matter what business it may be, "That if we do not keep open, the others will take away our trade." I dare say that that is a feeling which has very great power with those publicans who would otherwise desire to have their houses closed on Sunday.

5135. We had a witness here the other day, who said that he always closed on Sunday, and that he sold more liquor in consequence during the week; therefore it would appear from that, that by closing at a particular time, the same quantity of liquor, or more, would be consumed?—Yes, it would seem so from that evidence, but I do not think so.

5136. *Chairman.*] But other publicans might not think so; although one man has found that by experience, you would not probably get the majority to believe that?—No, probably not.

5137. I suppose you would be sorry if the Legislature took a step too far in advance, and led to a revolution of opinion upon this subject?—I should be sorry to see any enactment, even for the suppression of the sale of liquor, that would be met by a revolution, or a movement of opposition which would be to a certain extent a revolution, against it. I would rather wait for a year or two than I would incur that; but I do not think that this Bill would be the means of provoking such a movement against it as that.

5138. Do you know that in the year 1854 there was a Bill passed which did not go so far

as this Bill, but which led to so great an agitation that Parliament repealed it the next year?—I remember it quite well.

5139. Seeing that it is proposed in this Bill to go still further than Mr. Wilson Patten's Act, would not it perhaps be safer not to go quite so far yet?—I believe that we are very much improved in our estimation of the value of those measures now than what we were then. I think that the spread of intelligence and education has converted very many now in favour of measures who were then against them; so that I do not think it would have the same effect; but if it were to have the same effect, I decidedly prefer that it should be stopped for another year or two, till another Parliament, representing the people, would do what this Parliament probably is unwilling to do.

5140. Do you anticipate that a Parliament elected by a greater proportion of the working classes would be more ready to pass restrictive measures?—I believe that they would be more in favour of adopting those measures for the general good of the labouring classes than this Parliament is.

5141. Supposing that, instead of passing a Bill to prevent all drinking on the premises on Sunday, as this Bill virtually does, you were to pass one to limit the drinking on or off the premises to the hours named in this Bill, should you think that so small a step as that was worth having?—I believe that it would be a very great step in advance.

5142. You would think that well worth having?—Yes, decidedly. I should give my opinion in favour of that, rather than none at all.

5143. The hours during which the public-houses may be open being so long as they are now, enables a man to come in and remain, and drink more than he is inclined; whereas, if the time were shorter, and he had only time to get a glass or two, he would not be so likely to drink to excess; that is so, is it not?—Yes, I think so. You understand that I should not be inclined to have the Bill thrown up, if the promoters thought best to add that people should drink on the premises during the four hours which the public-houses should be open. I would rather accept that myself than lose the Bill.

5144. We quite understand that you are for thorough measures?—Yes, I am for thorough measures.

5145. When you speak about national holidays, I presume that you do not mean that they are to be holidays during which the masters should be compelled to pay their men, although they do not do any work?—Decidedly not.

5146. Do you mean that there should be days on which no work should be done?—Yes, and that a man should lose his time. But then I should anticipate that before those things are adopted a man will have more money for his labour, in order that he may be able to afford to lose his time. It would not do under our present system.

5147. Mr. Locke.] You consider that the wages must be raised to such an extent on other days as would meet the doing nothing on the holiday?—Yes; or a better reward for labour should be given so that the time could be deducted.

5148. And that a man could afford more holidays?—Yes, without impoverishing his home, I mean.

5149. Mr. Roebuck.] I suppose you have a

very high opinion, have you not, of the intelligence of the working classes?—I have of some portions of them, I am very pleased to say, and I admire their intelligence.

5150. And the other class are without intelligence?—As regards the other class I admire the intelligence which they display; I never advance my own class to the detriment of other classes of society.

5151. I am talking of the working classes; you say that there are a certain class of the working people who are intelligent; but I want to know now whether you think that the whole of that body are intelligent?—I believe that intelligence has lately advanced among the whole body of them.

5152. Are they a very intelligent class?—No, not altogether; I do not believe that they are an intelligent class as a whole.

5153. Do you believe that there is a large body, or a body of the working classes, who cannot take care of themselves, and that the law ought to step in and take care of them?—I believe that there are large masses of working men who cannot, in respect to drink, be left to take care of themselves.

5154. But are those the persons that you would allow to take care of other people as legislators, they being those who elect the legislators?—No, I would not.

5155. am very glad to hear you say so; you know that some time ago there were riots in Hyde Park?—Yes.

5156. Were those riots effected by this intelligent class?—I do not believe they were.

5157. The riots were effected by the non-intelligent class?—I should like to understand what riots you refer to.

5158. The riots that last took place when they pulled down the palings in Hyde Park?—I do not look upon that as a riot; I look upon it as a blunder committed by the Government, which encouraged, or at least caused anger to a large class of people in this metropolis, and this blunder, on the part of the Government, was the cause of the railings being pushed down.

5159. Never mind who was the cause of it; but the Government did not pull down the railings, did they?—No; nor was it the intelligent portion who pulled down the railings.

5160. You say that it was not the intelligent portion who pulled down the railings; are those the portion that you think ought to be coerced into good behaviour by this Bill?—I do not think they are.

5161. I want to ask you another question: you say that you have read the Bill, and I have no doubt you have very carefully; do you approve of the distinction made between London and the country in that Bill?—I think it is a necessary distinction, because London is a peculiar place, a place of itself, and of course it is difficult to class it with other large towns, because other large towns are comeatable by what I call general measures, but London is a special place, and probably requires, with regard to drinking and eating, special arrangements.

5162. Will you be kind enough to explain why that is; because to say that it is a special place, and requires special laws is one thing, but to say why it is or not is another; and I want you to say why?—I do not know that I have thought particularly about the special reasons; but one reason why is, that the multitude of the people living in a place like London cannot find the same conveniences

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niences as they can who live in small towns, for instance. Perhaps in London there might be seven or eight families in a house, but in provincial towns there might not be more than one or two.

5163. Are there not large masses of houses in other towns in which families crowd into the same house?—Yes, in Liverpool and Manchester, and other towns.

5164. Would not the same inconvenience occur in those places as you conceive would occur in London?—Inconveniences no doubt arise, but only, in my opinion, to a smaller extent.

5165. Would not those people be inconvenienced by a Bill like this?—I dare say some of them would, but if any good is worth having it is worth encountering some little inconvenience to attain.

5166. You recollect that in this instance the inconvenience is not felt by your class, because you say you are an intelligent class, and do not go to public-houses; but the inconvenience is felt by somebody else, whom you say you represent?—All this inconvenience might last for some little time, but they would make arrangements whereby it could be avoided; and I feel sure that they would see ultimately that it was advantageous to them, although it might be at first inconvenient.

5167. With your great knowledge of the working classes, will you tell me how it is that so many hundreds and thousands of them pretty nearly, I may say, have petitioned against this Bill?—I cannot tell you why, unless it is from the reason that they do not appreciate what it would do for them, and that the evils which they think it will do are more imaginary than real; or it may be that they are encouraged by the licensed victuallers to oppose the Bill.

5168. Do you not think, in your very wide observation, that it will lead to many other consequences than you now look at; would not it lead to coercing them a great deal more than you would like to coerce them?—They might think so; of course I am not in favour of coercion of any kind, but still I think that sometimes we are under obligations when we should take a stand upon certain questions, and neutrality on questions of such a kind I think would be both wrong and imprudent; I believe that the coercion which people would have to submit to would only be of small duration, and that they would find arrangements and conveniences which would, some few years hence, amply repay them for all the inconveniences that they might suffer.

5169. That being your opinion, you would take a step in advance in spite of hundreds of thousands of your fellow countrymen being opposed to that system of legislation?—My system of legislation is to try to adopt that which would be most beneficial to the majority.

5170. Without considering the opinions of the minority?—No; what I consider we ought to do is, in the most reasonable manner possible, to meet their wishes and their opposition.

5171. Do you believe enforcing your own opinion is the way to meet their wishes?—No, not my own opinion; but I should study the inconveniences which they have to endure; and I should consider how they could be obviated and lessened, and then, if I could show to them that in future it would be to their benefit and to their advantage, and to the advantage of the whole class to which they belonged, to do this,

I think I would be justified in saying that it should be done.

5172. But supposing they fancied that you did not show them this, though you believed in it, and that their opinion was contrary to yours at the end, what would you say then?—Then I would say, let us try it for a period.

5173. Then they might say, we do not want you to try it; therefore, you would have to act contrary to the opinion of the large body called the minority?—I do not know how you would get over that. Supposing a man were to rob your house, and when you were giving him in charge to a policeman he were to say, "I do not like to be given in charge to the policeman, I would rather not;" would you allow him to rob your house, and not give him in charge?

5174. Do you think that there is an appreciable minority in this country who wish to rob a house?—No; but I am merely taking an example of the limits of coercion, or of what men do not like.

5175. I studiously used the language a large minority, and you have now given me an instance of a very small minority of the people of England who want to rob houses; they are not analogous cases; how can you compare the condition of a burglar with the condition of a working man who wants to have a pot of beer in a public-house on Sunday?—I am not comparing the two at all. I have not drawn the comparison between the two with regard to the Act. I drew a comparison with regard to what you like to call coercion in reference to effecting a certain thing; but I say, that a man who says, "I will not be made sober, but will ruin my family; I will not be compelled to abstain from going to a public-house, but will persist in injuring society," if we shut the public-house he will be compelled to submit to it; and as to the man who robs a house, or any number of people who would rob, might say, "We do not want to be given in charge to a policeman;" but we say it is necessary for the protection of society that you should be checked in injuring others. I am not comparing the two with regard to the Act, but only comparing the two with respect to what possibly they would like to be done to them.

5176. I put to you the case of a large body of your fellow-countrymen, the minority, as you call them, who think that that species of legislation would be bad; but you say that nevertheless you would adopt it, because you think it right; to that proposition I brought you, and there I leave you?—I would adopt it, not simply because I think it right, but because I think that they would subsequently think it right, and that they would merely suffer a temporary inconvenience which would soon be replaced by a permanent good.

5177. Mr. Evans.] I think your experience has been very general over the country, but it has been principally with regard to London, has it not?—No, not principally with regard to London, but to the country also.

5178. Have you resided a great deal in London?—I reside in London, but I make frequently provincial tours to the large towns.

5179. Do you think that there are a very large number of persons in London who are in the habit of taking their meals, or some of their meals, at public-houses?—They do at coffee-shops. I do not think they take their meals at public-houses so much on Sunday. I think it is

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not usual, as far as my experience and observation go; it is generally eating-houses, or coffee-shops, where they dine on Sunday.

5180. You mentioned that in your opinion the number of persons who went out on excursions on Sunday came back excessively tired; I suppose that arises from what is the case, perhaps, with a good many of us, that when we get a holiday we like to make the utmost possible of it, and therefore we sometimes overdo ourselves?—There is no doubt that there is a great deal of zest given to it, and that it is overdone.

5181. Speaking of myself, when I am particularly busy, if I get a day's holiday, I sometimes find that I tire myself a good deal in trying to avail myself of the whole of it, and I suppose other people do the same?—Then in order to obviate that, I would have more general holidays on week days and let them have a regularly good day's holiday, and carry all that zest into it which they possess, and then they might keep Sunday for a day of rest; that is what I desire to see.

5182. You think that the best plan would be that the Sunday should be used generally as a day of rest, and that other holidays should be used as days on which people might amuse themselves mentally and bodily?—Yes; for instance, all the museums should be thrown open in the evening.

5183. Mr. Locke.] Would you be in favour of having museums thrown open upon Sunday?—I would be in favour of having museums thrown open upon week day evenings or Saturday afternoons, but not on Sunday, because I think it would tend physically to depress the working-men. I desire that they should have Sunday as a day of rest and recreation, as far as they can do it, without physically prostrating their poor bodies, which have been previously exhausted by hard work, and I would like to see all our national museums and other places open on week-day evenings and Saturday afternoons; and I should like more week-day holidays, in order that Sunday might be enjoyed as a day of rest.

5184. A man would not be very comfortable, would he, if he were merely sitting still in a chair on Sunday; would not that be very irksome to them?—It is not necessary that he should do so. He could have rest without sitting in a chair all day.

5185. Mr. Hibbert.] Would there not be less Sunday drinking if wages were paid earlier than they are now in London?—Wages, you are aware, are paid now much earlier than they were formerly.

5186. Are they not paid in London to a great extent on Saturday evening?—In some trades; but in the trade to which I belong, the building trade, wages are paid at one o'clock on Saturday afternoon, but there are many other trades which still pay late, and I believe that to be very detrimental to the working men.

5187. Would not it be even still more desirable if the wages were paid on Friday night?—I should like to see wages paid on Friday evening.

5188. I suppose you are aware that that is done in some parts of Lancashire?—Yes, and I believe with great benefit to those who adopt that plan.

5189. Would not it also be a great advantage to the working classes and conduce to their having the Sunday as a day of rest, if the Saturday half holiday were carried out further?—Yes, I should
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like very much to see it. I believe it would be very advantageous to the country at large.

5190. Do you remember the time when Mr. Wilson Patten's Act was in operation, in the year 1854?—Yes.

5191. Can you call to mind in connection with it, that there was great opposition raised to it in London?—Yes, I remember there was a great deal of opposition and some disturbances.

5192. Is it not the fact that those disturbances were principally against Lord Ebury's Bill?—I believe they were.

5193. And more so than against Mr. Wilson Patten's Act?—Yes.

5194. It has often been stated that the excitement in Hyde Park was against Mr. Wilson Patten's Bill, but was it not the fact that it was got up against the Sunday Trading Bill?—Yes, the two coming together, the opponents of any Bill that might now be suggested might use that disturbance that took place at that time as being against Mr. Wilson Patten's Act, but I think it was mostly against Lord Ebury's Bill. I believe the great opposition was to that measure.

5195. Do you remember what the feeling of the working classes was at that time with respect to Mr. Wilson Patten's Act?—I do not exactly remember; not to call to memory what were the general opinions of working men upon that Act. I did not take, at that time, so active a part in working-class questions as I have done since 1858.

5196. You think now that people would not act in the same way with respect to restrictions as they did at that time?—I think not. I think that with their intelligence, and their thoughtfulness, and their providential habits, and the progress in all directions which they have made, they would bring less opposition to the measure than formerly. I do not think that such an opposition could now be got up.

5197. Are you aware what the hours were, under Mr. Wilson Patten's Act, during which the public-houses were open?—I do not remember.

5198. They were open in the middle of the day for two hours and a-half, and in the evening from six to ten, both for consumption of liquor on the premises and for sale off the premises; do you think that a similar proposal would be satisfactory at the present time, taking into view all the difficulties in carrying out such a Bill as that before the Committee?—No doubt it would meet with approbation by very many, but it would not be so satisfactory.

5199. From what you said about the difficulties in London, that we must deal with London differently from the provinces on account, for one thing, of the house accommodation being so limited, and the large number of families who are compelled to live in one house, would not it be rather a hardship to close public-houses entirely for the consumption of liquor on the premises in London?—It may be to some extent a hardship to a large class of persons.

5200. Perhaps more so in London than in the country?—I dare say it would be more in London than in the provinces.

5201. Having that in view, and knowing the great discomforts of the houses of many of the poor, do not you think that it would be better, instead of going quite so far as this Bill, to allow the houses to be open for a certain number of hours for consumption on the premises?—I have already expressed my opinion that I should rather
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have that than no Bill at all; and if the promoters were to adopt that, it would still have my great appreciation, and if the Bill you suggest could be done more satisfactorily than the other, I would rather wait for the adoption of the present Bill another few years, but it must entirely depend

upon the opinions and experience of others who can speak more definitely; but I would rather have the Bill which you suggest than that the present Act should remain in force, because I think it would be an advance in the right direction, and would be a great good.

ROBERT STIRLING NEWALL, Esq., called in; and Examined.

R. S. Newall,
Esq.
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5202. Mr. John Abel Smith.] You are Mayor of Gateshead, are you not?—I am.

5203. Which is one of the largest and most important commercial towns in the north of England?—Yes, in the county of Durham.

5204. Do you know what the population is now?—It is about 45,000, and it is increasing very rapidly.

5205. Are you, as Mayor of Gateshead, able to speak at all as to the effect of Sunday drinking in Gateshead?—As mayor, and sitting on the Bench at the police-court, I have cases constantly brought before me, and since the 9th of November, when I was elected, we have had altogether 495 cases before the court. The court is held twice a-week, on Tuesdays and Fridays, and of those, 237 cases had arisen entirely from drunkenness, 22 have been cases of drunkenness and assault, 7 of felony through drunkenness, 135 cases of assault only, and 94 cases of felony. I cannot state, because I have not had an opportunity of dividing the cases arising from Sunday drinking from those on the other days in the week; but my opinion is that a great number arise from Sunday drinking.

5206. Have you a considerably greater number before you on the Tuesday morning than on the Friday morning?—We have.

5207. There has been no public meeting, has there, on the subject of Sunday drinking?—There has been no public meeting held in Gateshead or Newcastle, I think.

5208. But you are cognizant, are you not, of the feeling of your brother magistrates and the people of Gateshead generally?—I am. I think the opinion is in favour of restricting the hours rather than of total closing at present, certainly the feeling is very much in favour of restricting the hours.

5209. Are you talking now of the magistrates or the working men, or both?—Of both the magistrates and the working men, those with whom I come in contact.

5210. You know the existing state of the law, and you have probably read the Bill which has been referred to this Committee?—Yes, I have.

5211. Are you in favour of the increased restriction contained in that Bill?—I am.

5212. Do you think that the principle of restriction has been useful hitherto?—Yes, I think it has; I think that there is less drinking now than there was some 10 or 15 years ago.

5213. And you think that it might be carried further now, beneficially, to the moral and social condition of the working men?—I do think so.

5214. As head of the local magistracy of Gateshead, should you apprehend any public disorder, or confusion or resistance to the law, if such a Bill as this were to be made law?—I do not anticipate any resistance at all; I think the cases that are brought before us of drunkenness arise, generally, amongst the very lowest class of working men, men who are habitual drunkards; they

are not what I would call the skilled labourers or mechanics; not such as I would employ in my own works, but they are amongst the lowest class.

5215. Did you, as mayor of Gateshead, sign the address to Lord Derby, asking for the Government support to this Bill?—I did; and that was done after consulting those who sit on the bench of the police court with me.

5216. Therefore, you occupying an important position in the eye of your fellow-citizens, have given your testimony in favour of the provisions of the Bill, and express your conviction that it would be accepted, if not with approbation, with contentment and quiet by the population?—I do.

5217. Colonel Fane.] You have stated that you have rather a preference for further restriction than total closing?—Yes.

5218. How far are you prepared to go in that way?—I think two hours in the middle of the day are quite sufficient, and in the evening two hours also are quite sufficient.

5219. You have also said that there has been a great deal less drinking than there used to be during the last 10 or 15 years?—Yes; I think that arises from the improved education of the working people.

5220. You do not attribute it altogether to the partial restriction which has hitherto been carried out; you put it down, to a very considerable extent, to the better education and the better feeling, generally, of the working classes?—Yes, but I think that restriction also has had a good effect; I cannot see the advantage of allowing a public-house to be open longer than a few hours in the day.

5221. But you are not for closing it altogether?—I think not immediately, but I hope it will come very soon.

5222. Mr. John Abel Smith.] Do you know any principle upon which a public-house is left open, while almost every other trade is closed?—No, it appears very unjust that I should be restricted from carrying on my business on Sunday and am liable to be fined if I do so, and those who sell tea and coffee are also prohibited from selling tea and coffee, and I think it is an injustice to them that publicans and beer-house keepers are allowed to carry on their trade; I think that they have got an advantage which they ought not to possess over other traders.

5223. What especial trade do you carry on there yourself?—I am a submarine cable and wire-rope manufacturer.

5224. Do you employ a great many men?—About 150 men.

5225. Are they very highly-skilled men?—There was not a single man of those I employ who knew anything of the business when they began; I selected those who were sober men and handy workmen, and I have taught them the business.

5226. Do you find much drunkenness amongst them?

them?—Very few cases indeed; we pay our wages on Friday afternoon for the week ending on the Thursday. Our men work 60 hours a-week, and they close on Saturday at two o'clock, therefore if they were inclined to go to the public-houses, one would suppose that having a fortnight's wages in hand they would indulge in it; but they do not; we find our workmen very steady indeed, and I am very seldom troubled with the case of one of my men being drunk.

5227. Upon what principle do you think that those men would be in favour of such a Bill as is now before the Committee?—I think almost without exception, every man would be in favour of restricting the opening of public-houses on the principle that there is no necessity for it.

5228. Mr. *Hibbert*.] You stated that you would prefer the restriction to total closing; do you mean closing altogether for sale, both on and off the premises, or according to this Bill?—I mean total closing.

5229. Mr. *Locke*.] You say that there is no necessity for it; if there were no necessity for it, nobody would go to the public-house, I suppose?—No, none of my workmen would go there, I think.

5230. You do not want to close it for those people?—No, not for them.

5231. Then who is it you wish to close it for?—Those who habitually frequent the public-house on Sunday.

5232. Besides those who habitually go to the public-house on Sunday, there are other persons who only go there for what they really want, are there not?—Yes, that may be so.

5233. It would be an inconvenience to them, would it not, if they could not do so?—It would.

5234. You say that you ought to be allowed to carry on your own business just as much as licensed victuallers on Sunday?—I think so.

5235. Do you think that there is the slightest analogy between marine cables and victuals and drink?—I think there is in one respect; at least, I hope there is, that we both make a profit.

5236. But a man does not want to get a marine cable on a Sunday, whereas he does want to get some beer, and he does want to get something to eat?—I was asked, only two days ago, to work on Sunday, to make a cable, and I declined; and the person who wanted that, probably, would be inconvenienced by my refusing just as the frequenter of a public-house would be inconvenienced if he was refused a pot of beer.

5237. It is absolutely necessary to a man to eat and drink, because if he did not he would die?—It is not necessary for him to drink beer on Sunday.

5238. Why not?—Because he can live without it.

5239. He can live without it; but do you live without either beer or wine on Sunday?—I do not; but I buy mine on Saturday; at least, I do not buy it on Sunday.

5240. But you drink it on Sunday?—Yes, I drink it on Sunday.

5241. Of course, you have got a house, and keep your wine and beer, and so forth, and it is no inconvenience to you. You never, I dare say, go into a public-house at all?—I cannot conceive any difficulty in a workman doing the same, and buying what they want on Saturday. They buy their beef and their fish on Saturday; and I do

not see why they should not buy their beer as well as their tea and coffee. *R.S. Newall, Esq.*

5242. Tea and coffee are quite different, because tea and coffee you make when you want it, but you do not make beer when you want it?—No, but you can buy it in bottle.

5243. You can do a great many things, but do you think it is a good thing to pass a law to compel people to do all those things, to buy their beer in bottle, and so on; and if so, where would you stop; would you go on and legislate for everything; would you legislate as to what sort of shoes they should make?—No, I would not.

5244. What is to prevent you?—I do not think that that is at all likely.

5245. Do you think it a good thing to be legislating upon all those trumpery things?—If you cannot prevent Sunday drinking otherwise, I think it a good thing to impose restriction.

5246. Do you think it would prevent Sunday drinking?—Yes, I think it would.

5247. You do not mean to prevent a man drinking if he has it in bottle at home?—I could not; even that slight difficulty, if it be a difficulty, of a workman having to keep his beer in bottle in his house, would be preferable to his going to a public-house.

5248. But it would not prevent him getting drunk at home if he liked?—I think it probably would.

5249. Have you never heard of a man getting drunk at home?—Yes, I have heard of such cases.

5250. When people sit at home in their houses and get drunk, is not that the very worst class of drunkenness?—I do not know; I have seen very bad cases from a public-house.

5251. Such a man becomes a sort of unenlivened mass by drinking?—Yes.

5252. There are a great many of those sort of people, and you could not prevent their drinking unless you have a Maine Liquor Law; and then you would not prevent it, because it has not succeeded where it has been tried?—We find that there are means of evading the law; we have had one or two cases in Gateshead that you would not probably have thought of. There was a barber's shop, which on Sunday morning kept open throughout the hours of divine service, and it was very much frequented, and we could not account for it. We found people going there, and in addition to being shaved they had their glass of beer.

5253. And yet the public-houses were closed?—Yes; but we have stopped that now by closing the barber's shop.

5254. You have closed pretty well everything, have you not?—Yes, we have done our best in Gateshead to do that; I am glad to say that I have received the thanks of a great many of the inhabitants for doing it.

5255. Yours is not merely an early closing place; you close early and late; what else have you closed besides the barber's shop?—We have closed anything else that infringes the law.

5256. Gateshead is a strict place, then?—In some points it is.

5257. Are there many drunken people there?—There were about 237 cases in about six months.

5258. What description of cases were they?—People pulled up for drunkenness.

5259. And fined 5 s.?—Yes.

5260. Mr. *John Abel Smith*.] Some were cases

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R. S. Newall, of drunkenness with violence?—Yes; there were
Esq. 22 cases of drunkenness and assault.

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5261. *Mr. Locke*.] What is the population of Gateshead?—About 45,000, and many of those cases have been brought before us several times.

5262. Those were habitual drunkards?—Yes.

5263. You would have those cases under any circumstances, would you not, whether you made any laws or not?—I think not, if they could not get to the public-house.

5264. Those were all persons who were convicted?—Yes, they were convicted.

5265. And they were punished for it?—Yes.

5266. You stated, did you not, that you would have public-houses open four hours on Sunday?—That is the proposal in this present Bill.

5267. Would you have them open for consumption both on and off the premises?—I think it would be better if they were closed against consumption on the premises; that is my experience.

5268. If you close them you must have the door open for persons to go in and get beer to take it off the premises?—Yes.

5269. In the case of people going in, and getting those articles to be taken off the premises, do not you think it might be an inducement for them to drink on the premises?—They would be tempted, certainly, and therefore that is an argument in favour of total closing.

5270. And likewise an argument in favour of allowing them to drink it during that time on the premises, is it not?—Yes.

5271. At Gateshead you seem to close everything, as I said before, and therefore you always adduce arguments in favour of closing. I suppose there is nothing open at all at Gateshead on Sunday?—Yes, there is.

5272. I suppose the churches and chapels are open?—Yes.

5273. Anything else?—There is a pleasure ground opened lately.

5274. What time is it closed; I suppose it is closed early?—I cannot tell the hour now, it is kept open I think until 10 o'clock at night.

5275. Are there any amusements in that place for the people?—It has only been lately opened. I have not been in it on Sunday to see what is going on.

5276. Do you think that it is a good thing to have places of that sort open on Sunday?—I think it is; I think if the museums were open on Sunday, if the Crystal Palace were open, it would be a great blessing for the people of London, and if we had museums in the country open in the same way, it would be a great blessing to the people there.

5277. Do not you think that it would prevent people going and standing at the bar of public-houses and drinking if they had something really to enliven them and something to look at?—It would prevent a good many from going to a public-house, I have no doubt.

5278. Do not you think that it would be a better thing to try that, than to try those laws which a great many people would consider extremely harsh and very interfering?—I should like to see both tried.

5279. Which should you try first; would you not try the soothing system before you tried the strong dose?—No, I think the other is necessary. I think the restriction of public-houses is necessary and advisable.

5280. And you think the other likewise necessary and advisable?—Yes, I think so.

5281. You have not probably given it your consideration as to which you would begin with?—No, I have not.

5282. *Mr. Roebuck*.] You say that you had 237 cases of persons convicted of drunkenness in six months in a population of 45,000; do not you think that a very small number?—It may be a small number; but still I think the number could be lessened.

5283. Do you, as a careful magistrate, think that by any human legislation you can reduce the per-centage of drunkenness below that?—I conscientiously do think so.

5284. What reason have you for thinking that?—Because those who are brought before us at the police-court are men who going into one public-house get half-drunk, and then they go into another and get wholly drunk, and I think that if those public-houses were not open so long they would not have so much opportunity, and therefore the number of cases would be lessened.

5285. Those are habitual drunkards, are they not?—Many of them are.

5286. Do you not think that an habitual drunkard would find means of getting his liquor on Sunday, whether you shut up the public-house or not?—I doubt it.

5287. Have you ever had any long intercourse with a regular drunkard; have you ever known him during his life, or six months of his life?—I am happy to say I have not.

5288. Do you think you know anything of his habits?—He tries to get drink as often as he possibly can.

5289. Do you think that you know anything of his habits, so as to give the Legislature advice concerning him?—I only judge from the fact that I see a man brought before me time after time for being drunk.

5290. I want to know whether seeing a man drunk enables you to tell us how to prevent him getting drunk; if I see a man reeling in the street I should say that he is drunk, but I do not know how I can prevent him; supposing he is a man who is habituated to drink, do not you think he would get it?—He would take means to get it; but not if you put difficulties in the way.

5291. If you put difficulties in the way he will do all he can to get out of the difficulties, and perhaps he will conquer them?—He may succeed or he may not succeed.

5292. Do you think it worth while for that small benefit of reducing the per-centage in some small degree to take a step like this, which would create a great deal of inconvenience?—I do not see the great inconvenience that it would create.

5293. Then you would take that step in spite of this small benefit which you expect from it, though there are other means in your power which you acknowledge to be efficient?—I would take the step because I think it would be no great inconvenience to those who require to go to public-houses to obtain beer for their dinner or supper.

5294. That is to say, what is not inconvenient to yourself you think is inconvenient to nobody?—No, that is not what I state or what I wish to convey to the Committee. I am giving you my experience since I have been in the position which I now occupy.

5295. You

5295. You have told me that your experience does not go to the habits of drunkards, and I ask you whether you can tell us whether a prohibitive law of this sort would prevent an habitual drunkard from getting drunk?—I think it would throw a difficulty in his way, and might tend to do good.

5296. You are very fond of throwing small difficulties, so to speak, in a man's way, which could prevent his attaining his end; do not you think there would be the illicit drinking which you spoke of as taking place in the barbers' shops; do not you think that there would be a great many more barbers' shops attempted, and such barbers' shops as would escape your magisterial eye?—They might be attempted; they are under the care of the police; it is not my eye that detects them; it was the chief constable who brought this case before me; I only gave that as an instance of one of the methods adopted for evading the law.

5297. Do not you think that there would be attempts made to evade this restrictive law?—No doubt there would be.

5298. Mr. *Evans*.] I suppose when cases of drunkenness are brought before you, you have the means of ascertaining, and do ascertain, under what circumstances the person got drunk?—I have tried as much as possible, before I was aware of this Bill, to ascertain how they have got drunk, but it is extremely difficult; they will not confess. In the cases of public-house keepers that have been brought before us during six months we have had three convicted of infringing the law by selling during the restricted hours, and they have been fined; and I have put the question to them whether they would wish to

close the public-houses entirely on Sunday or to keep them open, and the three men answered that they would rather see them entirely closed on Sunday. We have had 10 beer-shop keepers convicted during the same time. I have not put the question so much to them, but still I think they are in favour of closing also.

5299. You think that they would be in favour of closing the public-houses, as far as this Bill provides, if everybody were obliged to close?—That is not the question which I put to them. I simply put the question to them on their own account, and they said they would rather close entirely on Sunday than keep open.

5300. Mr. *John Abel Smith*.] The orders to the police, I suppose, are not to take up every drunken man that they find in the streets, if the man is able to take care of himself?—No, it is only those who are incapable of taking care of themselves.

5301. Therefore the number that you have given, 237, in six months, does not represent the entire number of drunken people in Gateshead?—No, not by any means.

5302. It only represents the cases of drunk and incapable, and of drunkenness with violence?—Yes.

5303. Mr. *Roebuck*.] It only represents the persons convicted?—Yes, merely the persons convicted.

5304. Mr. *Locke*.] I suppose that, on the whole, you would consider Gateshead a sober place?—I think it is so, considering the enormous number of workmen who are engaged in iron works and chemical works, and other places of that sort, which are notoriously thirsty employments.

MR. SAMUEL ELIOTT, called in; and Examined.

5305. *Chairman*.] You are a Timber Merchant, residing in Plymouth, are you not?—Yes.

5306. Mr. *John Abel Smith*.] You are a town councillor at Plymouth?—I am.

5307. And a guardian of the poor?—Yes.

5308. And a Member of the Chamber of Commerce there?—Yes, and a Member of the Chamber of Agriculture.

5309. Is there also an association of the working classes with which you are connected?—Yes, I have been connected with those associations since their commencement.

5310. Have you paid a good deal of attention to the state of the labouring men in your town, and in that part of England?—I have.

5311. Do you believe that Sunday drinking is prejudicial to the social and moral improvement of the people?—I do.

5312. Do you believe that the restrictive laws now in operation have been useful in diminishing drunkenness?—They are considered to have been so to some extent.

5313. Are you in favour of total closing, or only of a still further extension of restriction?—I should prefer total closing on the Sunday.

5314. What do you believe to be the feeling of the more respectable of the working men of Plymouth and the neighbourhood with regard to the increase of restrictions on Sunday drinking?—The working classes, generally, are in favour of increased restriction.

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5315. Why?—They feel that they are injured in various ways by the present system.

5316. There has been a public meeting held in Plymouth, has there not, on this subject?—There was one called by the mayor.

5317. How was that attended?—It was in the Guildhall, which is not a very large building, but it was crammed.

5318. What was the resolution or the feeling of that meeting?—There was a difference of opinion, but the large majority were in favour of total closing.

5319. How many persons do you suppose attended that meeting?—From 300 to 500.

5320. What is the population of Plymouth?—About 65,000; it is the Guildhall where all such meetings are held.

5321. Was that meeting as full as the room could hold?—Yes, a great number could not get in.

5322. Has there been any other meeting?—There has been a meeting since.

5323. When was that?—It was called for the same purpose, but not called by the mayor.

5324. But by friends of temperance?—I suppose it might be said to be so to a certain extent, but the public generally were invited.

5325. Was it held in the same place?—No, it was held in another public building; the Temperance hall, which would hold a large number of people.

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5326. Was

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5326. Was it pretty well attended?—It was tolerably well attended, but not crowded.

5327. You have seen, probably, during the last few years, a very great improvement in the working classes, with respect to their drinking habits?—There has been a considerable gradual improvement.

5328. To what do you attribute that?—To various causes; to the altered habits of the people to a great extent; they are more temperate a great deal, and better educated than they were.

5329. Do you think that some legislation in the direction of the Bill referred to this Committee would tend to their more rapid improvement?—I think so myself, and that being the case, I should be inclined to support it.

5330. You believe that that is a very respectable feeling, which ought to be encouraged by the Legislature?—Quite so.

5331. Do you know anything of the county of Cornwall?—I do. I am a Cornishman, and am connected with it in business.

5332. What do you think is the feeling of the working men in Cornwall?—The feeling there is much stronger than it is in Plymouth, in favour of restriction.

5333. Are the miners and others there in favour of restriction?—Yes.

5334. Has there been any canvass at Plymouth?—There has not.

5335. Was the question of a canvass discussed in the town council?—No, it was not. The question of petitioning the House of Commons came before the town council, but the mayor and many of the councillors had previously signed a petition in favour of the Bill referred to this Committee, and it was on that ground that the council took no action.

5336. Have you any idea that if such a Bill as that before this Committee became the law, it would be met by any resistance, or public disorder, or violence in any way?—I should think not; it is too much in accordance with public opinion to be resisted.

5337. Generally, you come here to express a decided opinion as to the feeling in favour of legislation of this kind in the district to which you belong, and your conviction that it would be contentedly if not willingly accepted by the population?—I have no doubt that there would be objectors; but still, as a whole, it would be cheerfully accepted.

5338. Are there any publicans that you know who close on Sunday in Plymouth now?—There are some, but the bulk of them keep their houses open.

5339. Do you not believe that if those houses were closed there would be a large amount of weekly wages devoted to the clothing and food of families, if such legislation as this took place?—I have no doubt of it.

5340. And that, therefore, it would be a great social and moral benefit?—I believe it would.

5341. Do you believe that the inconveniences produced by such legislation are to be compared to the good which it would produce?—I think they would be very small compared with the great advantage that would be derived to the community generally.

5342. Mr. Bright.] Is there any means of knowing the sentiments of the licensed victuallers or of the beer-house keepers on this question in Plymouth?—I do not think that any steps have been taken to ascertain their opinion; my own

impression is that, generally speaking, they are opposed to the Bill.

5343. Have you had any opportunity of conversation with any of those who have been in the habit of closing their houses on Sunday?—I have not.

5344. If there are any arguments against general employment and the carrying on of trades on the Sunday as regards the comfort and rest of families, and the advantages which men derive from the Sunday, are they not equally strong with regard to the licensed victuallers and beer-sellers?—I should think they were much stronger.

5345. Why should you think that they were much stronger?—Because other kinds of business may be said to be, to a considerable extent, useful, but these would be, to a large extent, employed for bad purposes.

5346. But as far as regards the supply of what may be called needful refreshments, of course it would be held to be just as innocent as any other trade?—Quite so.

5347. But, speaking of it as the supply of drink merely, or an object of sensual indulgence, there are additional reasons why it should be restricted?—Quite so.

5348. But is there any reason to believe that amongst the licensed victuallers and beer-sellers there are a fair minority of them who would regard a general closing or a general further restriction without disapprobation, knowing that their families would gain from it?—I have no doubt that the respectable portion would be glad of it.

5349. In supporting the general objects of this Bill (I am not speaking of its exact details), do you consider yourself advocating what is equally good for the persons on whom restriction is to be placed, as it is or would be to the general public, and especially to the working classes?—I have no doubt it would be for the benefit of those engaged in the business; and it is not only the parties who now immediately suffer, but the rate-payers generally whose interests are largely involved in the subject.

5350. The interest which the ratepayer has in it, arises from your idea that the open sale of these things on Sunday promotes drunkenness, and idleness and crime. I presume that is the argument which you adduce?—That is the ground.

5351. Mr. John Abel Smith.] Have you any doubt that a very large proportion of the poverty in every town is produced by drunkenness?—I have no doubt that it is.

5352. Mr. Baines.] Have you ever been engaged in Sunday school teaching?—Not absolutely. I am connected with a Sunday school, being the partial superintendent of one.

5353. Do you happen to know the opinions of Sunday school teachers as to the effects of opening public-houses on Sunday on the children attending those schools?—The school which I am connected with is an adult Sunday school, but I know enough of the teachers in Sunday schools in our neighbourhood to know that the children suffer very seriously from the opening of public-houses on Sundays. I have heard them say so.

5354. Therefore the teachers are of opinion that it would be a great benefit and assistance to them in prosecuting their benevolent work, if they were closed?—I know that to be their opinion.

5355. Have

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5355. Have you any town missionaries in Plymouth who visit the lower classes especially?—Yes, we have.

5356. Do you happen to have heard what the opinion of those town missionaries is as to the effects which would be produced upon the classes whom they specially visit for their moral and spiritual good from the closing of public-houses?—I do not know their opinions upon this special point of Sunday closing.

5357. Do you know anything of the opinion of the ministers of religion upon this subject?—Yes, do.

5358. May I ask what those opinions are upon this subject?—Their opinions generally are either in favour of entire closing on Sunday, or of partial closing.

5359. By partial closing, do you mean the present Bill?—Yes.

5360. Mr. John Abel Smith.] Do you know anything of the feelings or opinions of other employers of labour in Plymouth?—I think the employers of labour, and the middle classes generally in Plymouth, would be in favour of the present Bill, and the persons whom they employ are in favour of total restriction.

5361. Mr. Bright.] The present Bill, meaning this Bill before the Committee?—Yes.

5362. Mr. Locke.] Plymouth is a large port, is it not?—Yes.

5363. Have you give any consideration to the number of those persons who are on board ship on Sunday?—Not more than to any other particular class.

5364. Would they want places to go and take their meals and have something to drink on Sunday, such as public-houses?—They are often on shore on Sunday.

5365. And they require a place to go and get their meals, do they not?—They would do so, I resume.

5366. Would not it be a great inconvenience to them in a place like Plymouth if the public-houses were shut up?—I have no doubt it would be an inconvenience to many of them.

5367. How many thousands of that description of men are there at Plymouth always; have you ever made the calculation?—No, I have not made the calculation; but thousands would be rather a large term to use; hundreds would be more like the number of those who happen to be on shore.

5368. However many men there may be, if they do not come on shore every Sunday, they make it by turns, I suppose?—I believe they have some such arrangement.

5369. How many men do you suppose there are in the port in the different ships?—I cannot offer an opinion.

5370. How many men have you in your employ?—Fifty or sixty.

5371. They bear no comparison whatever, do they, to the number of sailors in the port?—No.

5372. However, you have not given any consideration to the sailors?—Not specially.

5373. Have you at all?—As affecting the general interests of the town; we know they are to a large extent a great nuisance in the town, and when they do arrive they find that the public-houses are open for them.

5374. Plymouth would not be very much without them, would it?—They keep up the commerce of the town.

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5375. They do not come merely on Sunday, do they?—No, not merely on Sunday.

5376. Would you close the public-houses all the week?—If the public wish it I should.

5377. You would not take them into consideration as part of the public?—Yes; I should take the whole public.

5378. The whole nation?—Yes; the whole nation, each particular locality.

5379. There would be a minority, would there, not?—There would be.

5380. What is to become of them?—If the practices of the minority are a nuisance to the majority, the majority must have the rule.

5381. You think so?—Yes.

5382. In everything?—Yes; in everything where the practices of the minority are a nuisance to the majority.

5383. What do you call a nuisance?—That which the majority consider injurious to them.

5384. Then you think that the majority have a right to bind the minority?—Yes.

5385. You think that is the usual way of doing things?—I think it is the right way of doing things.

5386. Chairman.] Supposing the majority disliked smoking, and the minority did not; there are towns in Europe where smoking in the streets is forbidden; do you consider that oppressive to the minority?—The streets would be different; in a railway carriage I think the minority have to give way to the majority.

5387. Supposing the majority considered that it was an extreme nuisance to them, and that the authorities were to say, as in St. Petersburg, that they would have no smoking in the streets, what would you say to that?—There they have a despotic government, but I am alluding to this country, where people are bound by the will of the majority.

5388. Although the law was made by the majority, instead of by an individual, would it not be despotic?—I think in all cases the minority must bow to the majority.

5389. We know what objects you desire to serve by advocating such a measure as this; do you think that they would be served to a greater extent, supposing the houses were restricted to the number proposed in this Bill, but that during those hours liquor might be sold for consumption either on or off the premises?—I have no doubt it would be better than the present state of things if we were to break the chain in the drinking habits of those who are abandoned to drink.

5390. You would look upon it as a considerable step in the direction which you desire?—I should.

5391. I suppose you would regret very much if Parliament, by a step somewhat too far in advance, produced a revulsion of opinion?—Quite so.

5392. You are no doubt aware that the Act passed in 1854 was so unpopular, and was so much complained of, that it was repealed in the following year?—I know it was.

5393. And you are aware that this Bill goes further than that Act?—It does.

5394. Mr. Evans.] Do you consider Plymouth on the whole a sober place or a drunken place?—With the large number of sailors and soldiers there, it is rather a drunken place.

5395. I think you said it has improved like most other places?—Yes, it has.

5396. Have you a large floating population of sailors

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sailors and others, in Plymouth?—We have a considerable population of that kind; we have 3,000 soldiers stationed in Plymouth.

5397. They are stationed in barracks of course?—Yes.

5398. Where do the sailors go when they come there; do they live in lodgings?—There is a Sailors' Home for some of them, and others are on board their vessels, or they live about at the various public-houses.

5399. Of course this Bill, if it became law, would not allow them to do that?—Not unless they were lodging there.

5400. In your opinion are there many sailors who lodge otherwise than in the Sailors' Home

or in public-houses?—I should think not. I should think that they either live in lodgings at the public-houses or at the Sailors' Home.

5401. I understood you to say, in answer to the Chairman, that you would consider a restriction of the hours, even permitting liquor to be consumed on the premises, would be better than the present system?—Yes, I think so.

5402. In that case, do you consider that the hours selected by this Bill are well selected; do you think that those are hours which on the whole would be most convenient to the public, and would most tend to limit drinking to excess?—I should think they would be the hours most convenient on the whole.

The Reverend GEORGE MOLLETT MURPHY, called in; and Examined.

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5403. Mr. John Abel Smith.] You are a Congregational Minister, are you not?—I am.

5404. Of what church?—Of the Borough Road Congregational Church.

5405. You have for many years, I believe, given a very close attention to the question of drinking in all its forms?—I have endeavoured to do so.

5406. And you have taken the closest and most continued interest in the condition and well being of the working classes?—I have.

5407. How long have you been engaged in that pursuit, more or less?—For nearly 20 years in Birmingham and London.

5408. How long is it since you came to London?—Twelve years ago, in June next.

5409. During the whole of that time you have been conversant with the habits and the wishes, and the doings, generally, of the working classes in London?—Most intimately.

5410. Do you remember the benefits accruing to public order by the closing of public-houses, on Sunday morning, by the Act of 1839?—I do; at that time I lived in Chelsea, and I remember that Sloane-square, by the Star and Garter, on Sunday morning prior to the Church service time, was almost impassable from drunken and disorderly men. I also remember having occasion to pass the Marsh-gate, sometimes, at the end of the New Cut, which was worse, perhaps, even than Chelsea. Indeed all the crowded thoroughfares, such as Jew's-row and the New Cut, at that time, were almost unsafe for decent persons to pass.

5411. A great improvement has been produced, has there not, in the existing state of things, by the restrictions now existing?—A most marked improvement.

5412. Do you recollect Mr. Wilson Patten's Act passing in 1854?—Yes, well.

5413. Can you state, from personal knowledge, the effects of that Act as long as it continued in operation?—I was then in Birmingham, and the effects there produced were of the most striking kind. When Mr. Berkeley's Committee was sitting we had evidence prepared in connection with a committee, with which I was then associated, from manufacturers, from ministers, and from the whole of the town missionaries, and others, who were prepared to give evidence as to the advantage of that measure. The premature closing of the Committee, however, rendered that evidence unnecessary.

5414. I think there was only one witness out

of London examined before that Committee?—That was all.

5415. Do you recollect the resistance which was offered to Mr. Wilson Patten's Bill?—I remember that there was a riot in Hyde Park, but it happened, with the full consent of Mr. Councilor Stinton, who at that time was president of the Licensed Victuallers' Friendly Protection Society, or a branch of it in Birmingham, to be present at their anniversary. The then mayor of Birmingham, Mr. Palmer, was in the chair at Dee's Hotel, where the meeting was held, and there was a deputation from London present Mr. Raven and Mr. Smith, who was described as the Parliamentary agent of the United Town Association. They took special credit to the association, and to the expenditure of its funds in providing the people with drink who created those Hyde Park riots.

5416. Do you believe that those riots were directed against Mr. Wilson Patten's Act, or against Lord Ebury's Act principally?—Professedly they were directed against Lord Ebury's Act, but the public agitation was used for the purpose of strengthening Mr. Berkeley's hands in regard to the reversal of Mr. Wilson Patten's Act.

5417. Do you recollect Sir George Grey's Act of 1864?—I do; I had made myself personally acquainted with the facts prior to the passing of that Act, by visiting the Haymarket, Catherine street, Bridges-street, and kindred localities, in company with one of the best-known ministers in London. I visited the same localities after wards, and the change was most marked as regards the benefits produced by the restriction that were brought about by that Act.

5418. You probably, as all the other witnesses will testify to the improvement of the working classes since you came to London?—I think there is a very marked improvement on the south side of London.

5419. And you are of opinion that their habits as to excessive drinking are very much improved since that time?—I am very much of Mr. Potter's opinion, whose evidence I had the privilege and pleasure of hearing, that the improvement is most marked amongst the higher class of artisans, but that there is a class, who are chiefly the Sunday public-house drinking class, who perhaps drink more, and are more violent than they had previously been.

5420. Do you believe that not only by the drunkards, but by the more self-restrained men

the application of their wages to the wants of their families would be promoted by a further restriction in the hours of Sunday drinking?—I think that every restriction of the facilities for drinking would be sure to turn a certain amount of money into the pockets of the working people, and conduce to the comforts of their homes.

5421. Do you believe that the restrictions now existing have worked beneficially upon the condition of the working men in London?—Decidedly, so far as they go.

5422. And that they might be carried further with benefit to them?—According to the returns of a canvass which I have personally been interested in, a majority of two to one of the working classes, even in the lowest neighbourhoods, would go for entire closing. I have those returns here, not of London as a whole, but of different parts, taking such parts as would give a general idea.

5423. Are there any of those returns as to the accuracy of which you can speak from anything like your own personal knowledge?—I think I can speak for all of them.

5424. Will you put in those which you can speak to from personal knowledge?—Yes, I will do so. We have made a canvass of the different districts in the south of London.

5425. Whom do you mean by “we”?—The London Committee. As soon as this Bill was referred to the Committee, we endeavoured to help the Bill on, as we thought it was in the right direction, by some 15 or 20 of us uniting together, so that if any expenses were necessary, they might not fall upon any individual. But I may say, with regard to this canvass, of which I am now speaking, the working people with whom I am connected, my own church, pay the entire expense of it. The canvass is entirely voluntary.

5426. And the expense is paid by the working men?—Yes, as, indeed, all our meetings in the south of London have been paid for by the working men. No committee or association have at all contributed a halfpenny towards the expenses.

5427. Now, will you go on, and state the results of the canvass?—In Great Suffolk-street the replies to “Are you in favour of closing public-houses and beer-shops during the whole 24 hours on Sunday?” were, 62 yes, 28 no, and 7 were neutral. In Little Suffolk-street there were 6 yes, 6 no, and 1 neutral. In Wellington-street there were 12 yes, 6 no, and 2 neutral. In Wellington-place there were 14 yes, 14 no, and none were neutral. In King’s-court there were 7 yes, 3 no, and 1 neutral. In Prince’s-place there were 6 yes, none against, and 3 neutral. In George-street there were 12 yes, 10 no, and 6 neutral. Then, in the neighbourhood of the Mint, which, as some Honourable Members of the Committee will be aware, is considered to be one of the lowest places in London, and to the character of which a previous witness, Mr. Burcham, has already adverted; in Lant-street there were 23 yes, 10 no, 6 neutral; in Little Lant-street there were 21 yes, 1 no, and none were neutral.

5428. *Chairman.*] Were those householders?—Those were all householders.

5429. Do you know if they were lodging-houses or private dwelling-houses?—There would be in Lant-street, on the average, I dare say, four families living in each house.

5430. Mr. *John Abel Smith.*] Were the lodgers 0.69.

canvassed?—No, only the householders. In Lombard-street there were 6 yes, 5 no, and none were neutral. In John-street, 12 yes, 8 no, and 3 were neutral. In William-street, 6 yes, 7 no, and 2 neutral. In Ann’s-place, 2 yes, 8 no, and none were neutral. In a part of Southwark-bridge road, which is perhaps the most respectable part of the borough of Southwark, and the largest kind of houses almost in the borough, and the widest road south of the Borough-road, 20 were in favour of entire closing, 2 against, and 3 were neutral. In Great Union-street, another wide thoroughfare, 19 were in favour of entire closing, 6 against, and 3 were neutral. Then in the neighbourhood of the New Cut, in New-street, which runs parallel next to the New Cut, 18 were in favour of entire closing, 10 against it, and 1 was neutral. In Mitre-street, 21 were in favour of entire closing, 8 against, and 3 were neutral. In Queen-street, 26 were in favour, 3 against, and 6 were neutral. In Gray-street, 9 were in favour, 15 against, and 3 neutral. In Wootton-street, Cornwall-road, which is to the north of the New Cut, there were 34 in favour of entire closing, 17 against, and 7 were neutral. In Sidwell-place, a small court running out of Broad-wall, 8 were in favour of entire closing, 4 were against, and none were neutral. The total of the 20 different thoroughfares that I have enumerated, is 344 in favour of entire closing, 171 against, and 57 neutral.

5431. Do you believe that to be an extremely fair and honest return with regard to the disposition and desire of those people?—I believe so, thoroughly.

5432. The working men, as a whole, are in favour of entire closing, are they not?—I think they are. If the Committee would allow me, I have here the results of a workshop canvass, partially on the south of London, with which I am personally conversant.

5433. Mr. *Baines.*] Were those answers for entire closing, or for Mr. Abel Smith’s Bill?—For entire closing. The workshop canvass which was made by a man who is well known to all the people in the borough of Southwark, as one who takes a great interest in electioneering matters and in moral matters, Mr. Jabez West, shows the following result: We had a workshop canvass at Messrs. Cassell, Petter & Galpin’s; Price & Co.’s Candle Works; Cockrell’s & Co., Coal Merchants; Doulton & Co.’s, Lambeth; and Braby & Co.’s (Limited); at Messrs. Peek, Frean, & Co.’s Biscuit Works; Broadwoods’ Piano Factory; at the Phoenix Gas Works; in Steamboats on the River Thames; at Gibbs’, Leather Dressers; at Olney’s, Leather Dressers; at Horster & Palmer’s Leather Works; at Hebron’s Leather Works; and Corderoy’s, Fellmonger; and the result of that canvass showed 384 workmen in favour of entire closing, 214 against, and 59 were neutral.

5434. Mr. *Roebuck.*] Do you suppose that the number there canvassed represents the whole number of working men employed in those different places?—I am sure of it.

5435. Are you sure that there was not a larger number, because you have mentioned a great number of places, and the figures which you have given indicate a very small number of persons employed?—There are something like 650 persons who have signed.

5436. Mr. *John Abel Smith.*] Have you formed, from personal observation, any strong convictions

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as to the effect of Sunday drinking on the comfort and well-being of working men?—I have; I believe it to be most disastrous. On the south side of the Thames every locality that we have that is strikingly low, is surrounded by public-houses, and the largest public-houses are, where the poorest class of people congregate, and on a Sunday the scenes are most terrible. Some few years ago I made a map of the district, from the southern foot of London Bridge to Westminster Bridge, taking the boundary by the Westminster-road, Borough-road, High-street, Borough, and Wellington-street; and within that boundary, there were in that district, 301 public-houses and beer-shops, and there were but 106 bakers, including chandlers'-shops, which sold bread, and only 77 butchers; or 183 places in all for the sale of bread and meat; whereas there were 301 for the sale of intoxicating liquor. I have estimated that on the very lowest average, on every Sunday night, at least a half-dozen persons are turned out of each of those places helplessly drunk, or nearly so. I was mentioning that to two friends of mine, two navvies yesterday, and asking them whether they thought my average an excessive one, and one of them stated, "All I can say is, that I lived in this street some time ago, and out of that public-house at the corner, I have seen 50 persons turned out drunk between Saturday night and Sunday night."

5437. Mr. Baines.] When you spoke of half-a-dozen being turned out helplessly drunk from each house, did you mean on Sunday evenings?—On Sunday evenings entirely.

5438. Did you say that there were 301 public-houses in the area you refer to?—Yes.

5439. So that that number, multiplied by six, would be upwards of 1,800?—Yes, upwards of 1,800 every Sunday.

5440. Mr. John Abel Smith.] What is the effect of this upon the families of working men?—It leads to poverty of the most terrible kind, and it leads to the cheating of the people with whom the Sunday drinkers and drinkers of all other kinds deal, because the publican will have his score, and the chandler's shopkeeper has to go short of his cash. The people wear clothes of the roughest description, and the furniture of the houses, I need not say, is of the most dilapidated and deplorable kind, and the houses themselves are the most unlikely kind of thing for human beings to live in. But then the landlord cannot get his money; he would be willing to supply a better article if he could only get the means of doing it; the fact is, that however good he supplies a house, the rent is not forthcoming. In the neighbourhood of Kent-street, there is a place called St. George's New Town, which a few years ago, I can remember, was almost entirely rebuilt with a good substantial kind of house, but in less than three years, I believe, that one-third of those houses were in a state of complete dilapidation, and there was no mistake about the dirt, simply from the drunken propensities of the people in the locality.

5441. With regard to women and children, do they suffer especially?—Terribly.

5442. And of course the education and everything of that sort of the children is neglected?—Sadly.

5443. With regard to the observance of Sunday, do you think those people go to a place of worship, or would they go to a place of worship if they were not tempted by the public-house?—

Many of them would go, there is no doubt, if it were not for the sad circumstances into which they are brought by the facilities offered on the Sunday for their husbands and others drinking.

5444. There have been some very large meetings held in London with regard to further restriction on Sunday drinking, have there not?—There have.

5445. Were you present at any of them?—I have been present, I believe, at all of them, and taken part in most of them.

5446. There was one very large one at the Guildhall, was there not?—Yes, and I was present at that meeting.

5447. That was called by the Lord Mayor, I believe?—Yes.

5448. What other meetings have there been?—We have had some very large meetings indeed at the Lambeth Baths. I should have added likewise that they were called by working men, and the expenses were met by the working men who called the meeting, or by those who attended it; chiefly by those who attended as contributors to the meeting. We have also had a conference on education at the Lambeth Baths, attended by nearly 1,000 men, and it was held by adjournment on two weeks. Mr. Alderman Lawrence presided over one sitting, and Mr. Thomas Hughes, the Member for Lambeth, over the other; and I remember the resolution passed at the first sitting of that conference was to this effect, "That the conference is further of opinion that the diminution of the public-houses and beershops, the abridgment of the hours of sale on week days, and their entire closing on Sunday, associated with a keener sense of justice on the part of the clergy, squires, and farmers of the rural districts, would tend very much to diminish what of ignorance exists amongst us; and that the opening of the national museums and artistic collections on the week evenings, and the establishment or encouragement of local museums and schools of art throughout the country, would greatly aid the advance of intelligence, and contribute to the spreading a higher order of culture among the people." That was carried unanimously by the whole conference.

5449. How was that meeting at Lambeth Baths called?—It was called by advertisement in the public papers, and by placards.

5450. And the expenses you have already stated were paid by working men?—Entirely.

5451. Were they in any great degree unanimous in favour of further restriction?—Entirely; there was only one person who got up to oppose, and it ultimately turned out that we did not go quite far enough for him.

5452. But it was all but unanimous?—With that exception, it was completely so. I may say, that since this Committee has been sitting, in order to get at the opinion of the working men as accurately as possible, having had an intimation that I was to be examined, we have called a public meeting in our own church, as unfortunately on the south of the Thames, as in other parts of London, we have no great meeting place where the people can gather to express their opinion on these and cognate subjects. About that, I may say that the intelligent working men on the southside of the Thames have memorialised Lord Derby, when he was Prime Minister, for establishing such meeting places, that the feelings

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and opinions of the working people upon these subjects might be ascertained; but as we have no large meeting place, the "Bridge House Hotel" in Southwark, and the "Horns" in Lambeth, being the only two rooms, and neither of them holding more than 1,000 or 1,200 people, we are shut up to holding public meetings in places which, perhaps, are rather repulsive to many people. In my own church we had a very large meeting of the working people of the neighbourhood of the Borough-road in favour of entire closing, and in favour of petitioning the House, and that petition has been presented for entire closing; the feeling of the meeting was unanimous; two working men rose up spontaneously from the body of the meeting and advocated Sunday closing. One on the ground that his rates had been increased during the last quarter from 1 l. poor rates to 30 s., and he thought it very hard, he said, that he, a working man, endeavouring to keep himself sober should have to pay such a heavy additional rateage, simply for the publican's benefit, besides seeing their fellow working men in the circumstances that they were. The other man's idea was nearly on a par with that.

5453. Mr. *Locke*.] The complaint being that the rate was raised in consequence?—Yes.

5454. Mr. *John Abel Smith*.] He meant by that that the condition of the working men was such that they were reduced to pauperism by indulgence in those evil habits?—Yes, by the drinking on the Sunday and the idleness and drinking on the Monday that is frequently superinduced; and the very first class of people who come upon the poor rates are those who spend the most of their money in public-houses.

5455. Is not it a very regrettable and melancholy fact that a very large proportion of the week's wages goes to the public-house?—Yes, in some instances it is a very large proportion; I know the case of a man who worked at Maudslay's for many years, and he never need have been out of work for, I dare say, 13 years, and was earning large wages the whole of that time; there was but himself and his wife, for they had no children, and yet they had not an article of furniture of their own; and I am sorry to say they got into debt with a poor widow (which led to my becoming acquainted with the circumstance) for the necessities of life, and, after borrowing her furniture, they never paid her a halfpenny for it; this is an extreme case, no doubt, but I could mention a case which came to my knowledge when I was at Birmingham of a man who was in the habit of earning from 8 l. to 10 l. a week for just adjusting the wheels on the axles of railway trucks, and who, owing to his drinking propensities, was discharged from that employment; adjusting wheels on axles is a very critical work, and he was considered to be the man who could do it best; I suppose he was rather uppish, thinking that no one could be got to supply his place, and when he was remonstrated with about his drinking habits he was saucy, and was discharged, and in a week after his discharge he was applying to the guardians at Smethwick for relief.

5456. Mr. *Baines*.] What wages did that man get that you spoke of who was employed at Maudslay's for so many years?—His regular wages would be about two guineas a-week, and he would at extra times be getting, I dare say, nearly 2 l. 10 s.

5457. Mr. *John Abel Smith*.] The general re-
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sult of the evidence which you have so usefully laid before the Committee is this; first of all, the miserable results of the indulgence of a certain class of men in London in Sunday drinking, and, secondly, the necessity for increased restriction?—Yes; But will you allow me to say with regard to that, that during three years I have been permitted by one of the London morning papers to cull from their columns a month's result of drinking as exhibited in those columns; as regards the general result of drinking, I find that in the police reports in the year 1865, from the 23rd of August to the 22nd of September, there were publicly reported 37 cases of wilful murder, manslaughter, and suicides in the columns of the "Morning Star" in that one month. There were attempts to kill, 29; brutal assaults and violence, 42; cases of furious driving, and danger to life by persons intoxicated, 15; there were robberies in public-houses by or on drunken persons, 24; indecent assaults, seven; and six charges against publicans.

5458. How many do those come to altogether in one month?—One hundred and sixty, I think, they come to. The following year exhibited a slight improvement; for the same corresponding period in 1866, there were 30 murders or man-slaughters, or suicides reported; attempts to kill, 11; brutal assaults and violence, 44; furious driving and danger to life, 8; robberies, 21; indecent assaults, 2; and charges against publicans, 23.

5459. *Chairman*.] Were those stated to have been committed in the metropolis, or were they merely the cases reported in the morning paper?—Over the entire country.

5460. Mr. *Hibbert*.] Were all of those cases connected with drunkenness?—All of them were stated to be so in the reports; in the past year I proposed to enlarge the enquiry, and I took the local papers; I took the "South London Press" in addition to "The Morning Star" and "The Alliance News," which is a Manchester paper; and the period taken was from the 1st of June for a month, and these cases were reported during the whole time of the Reform agitation, when the columns of the newspapers were filled, of course, with the Parliamentary debates, and the large public gatherings which were held incidental to them. There were in those three papers, murders, man-slaughters, and suicides, 86; fatal accidents and deaths by misadventure through drink, 77; making a total of 163 deaths during the month; there were attempted murders and suicides, 44; violent assaults and endangering life, 41; common assaults and disgraceful conduct by persons in drink, 155; robberies in public-houses through drink, 49; furious driving and danger to life, 13; indecent assaults, 8; and charges against publicans, 40, during that time. Having to go with a deputation to the present Prime Minister the other day, in order that we might be as accurate as possible as to the terrible results of drinking, I took the week preceding our interview with Mr. Disraeli; this was from the same three papers as the last returns, and the results are as follows: murders and violent deaths of different kinds for the one week, 15; attempted murders, three; life endangered, two; other public-house cases, 14; making a total of 34 in the one week. I have found that of those cases some of the very worst occurred on the Sunday.

5461. You have no doubt whatever that a very large proportion of the crime of the country is
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the result of drunkenness?—No doubt. There has been a presentment made recently by the grand jury of the county of Middlesex to that very effect, and it states this: "The grand jury cannot withhold from the court the amazement and horror which they have felt during their investigations at the systematic continuance of and encouragement to vicious habits by the facilities afforded by the numberless places of resort for drinking and profligacy, thereby providing nurseries for crime and destitution; and they earnestly hope that some effectual steps may be taken, either by the withholding of licenses, or curtailing the hours for the sale of intoxicating liquors, and thus to grapple with a system of demoralisation as antagonistic to the interests of religion and as injurious to the social well-being of all classes of the community as it is degrading to us as an enlightened nation."

5462. *Chairman.*] Have those cases any reference to Sunday?—Several of the worst of those cases have occurred on Sunday.

5463. *Mr. John Abel Smith.*] With regard to the accidents through Sunday drinking, have you anything to state to the Committee?—Yes. Before I came to London I was associated with the large firm of Sir Charles Fox, and Mr. John Henderson at Birmingham. Sir Charles Fox has stated (and it quite bears out my own views of the matter) that the large majority of accidents in connection with their extensive works occurred on the Monday, and were the results of unsteadiness occasioned by the Sunday's drinking. I had an opportunity of asking Sir Charles Fox within the last month as to whether he still coincided with that opinion, and he said that he did; and that he should be quite willing to ratify anything that he had said upon that subject.

5464. Have you taken any means of becoming intimately acquainted with the condition and wishes and feelings of the working classes in London and Birmingham?—Yes, in London as regards the South especially; and in Birmingham, I knew it as it was 12 years ago intimately.

5465. And do you believe that the better class of working men are now strongly in favour of increased restriction on Sunday drinking?—Decidedly.

5466. Do you believe that the Bill which is referred to this Committee would be beneficial in its operation?—I am sure of it.

5467. Do you believe that the inconvenience which would be produced by preventing drinking on the premises on Sunday are to be compared with the moral and social benefits to be produced by it?—Not for a moment.

5468. Do you believe that the excursionists in London, who are so numerous at certain times of the year, would suffer any easily understood inconvenience by having the public-houses closed at 10?—I am happy to say that we have now no regular Sunday excursions out of London. All the lines of railway have found out that they do not pay, and there are no Sunday excursions now.

5469. But there are a great number on the river by steamboats, are there not?—A great number of persons go by them, but they are a mere fraction compared with the mass of people that remain in London.

5470. *Chairman.*] Is it not the case that there are an enormous number of trains on some of the suburban lines which are almost in the nature of excursion trains on Sunday, only that they are

regular trains?—There are not so many trains run on Sunday as on other days.

5471. *Mr. Bright.*] Are there not a great many who come into London on the Sunday evening late by trains?—Nothing, compared with the ordinary influx of persons coming into the City on any morning during the week.

5472. But to such extent as that travelling occurs, would the inconvenience to them be very serious if the opportunity of obtaining refreshment were prevented after 10 o'clock?—I think not. I had for many years a place of worship next to the South Western station, in Waterloo-road, in Hawkstone Hall, which was built to commemorate the centenary of Rowland Hill. The hours of service were sometimes late, so that I had an opportunity of seeing the excursionists, and the great majority of them I know went right away home without drinking; and the people who had been drinking were for the most part quarrelling, as though they had been rather unrefreshed than anything else.

5473. *Mr. John Abel Smith.*] Do you believe that restriction might now be carried further, both beneficially and usefully to the mass of the people?—I think there is no doubt, taking the general mass of the well-intentioned working people, that they would go decidedly further than this Bill goes; but they would be willing to accept this Bill as an instalment rather than run too violently counter to the feelings even of the lowest and most degraded of their brethren.

5474. If such a Bill as this became law, do you believe that there would be any violent resistance to it, or any disorder produced by it?—Not at all.

5475. Or discontent?—No general discontent.

5476. *Mr. Bright.*] Will you tell me whether you know, taking those 301 public-houses and beer-houses, what is the proportion of each in that district to which your map applies?—I think they are nearly equally divided.

5477. The public-houses have their licenses granted by the magistrates, have they not?—Yes.

5478. What magistrates are they?—They sit in the Newington Sessions-house; they are the magistrates of the county of Surrey.

5479. And the beer-houses have their licenses from the excise, I believe?—Yes.

5480. Do the magistrates generally refuse licenses, or do they give them freely?—They exercise a tolerable supervision over them, keeping them to about the number that they are.

5481. Do you know at all whether, amongst those public-houses and beer-houses there is a great change of occupation; do they all seem to get a living and to prosper, or is there often an entire change of occupation, and are the houses frequently taken by somebody else?—Owing to the advance of general temperance and other efforts which have been rather active on the south side of the water, there is no doubt that it has been a losing business on the south side of the Thames, contiguous to the river, for some little time in some parts.

5482. Do you think that the number of public-houses and beer-shops is rather diminishing than otherwise?—Rather so, in that locality.

5483. Have you ever had occasion to observe, or to make any calculation as to the duration of life amongst persons who keep public-houses and beer-houses?

beer-houses?—I should think that the general average of life is very limited amongst the keepers of public-houses, who themselves drink the drinks they sell. I have known cases on our side of publicans who have died, not a few of them, of *lirium tremens*.

5484. An eminent distiller once estimated that if a man began to keep a public-house his life was not worth more than seven years, that is to say on the average; of course there are many who may live 50; but have you ever observed whether there is any foundation for any such sad calculation as that?—No Insurance Office will insure the life of a publican, especially if his house is in a low neighbourhood, except at a hazardous rate.

5485. But in the general improvement which you have said has taken place amongst the population, I presume you would admit that there is probably a general improvement also in the habits of persons connected with this business?—I am afraid I cannot say very much on that score; I should have to put a very deep red mark, owing to deeds of blood, on almost all the public-houses on our side of the water that I am acquainted with, from the terrible things that have occurred in them, which might have been prevented, if that which I have heard given in evidence before this Committee were true; that is to say, if publicans would say to their customers, who were getting drunk on their premises, that they should go home. Many dark things might have been prevented, if that which we have heard spoken in this room had been done in any degree.

5486. Have your efforts, on behalf of temperance, placed you in such a position with regard to the persons who sell those liquors, that you could not have much opportunity of ascertaining their views upon the subject of this Bill?—I think that all who know me respect me, although they know that I have no love for their business; I know some of them, and I am in communication, occasionally, with some of them.

5487. Have you met any of them who have expressed an opinion, rather favourable than hostile, to the limitation of their trade on the Sunday?—I have not.

5488. Have you ever represented to any of them, in your character as a minister and well-wisher to your countrymen, that it would be a great boon to their families, if they could concur in the growing public opinion on behalf of some further limitation on that day?—I have in one or two instances, when I could do it, without going into their houses; but in the position in which I am situated, as regards working men, and my well-known opinions with regard to temperance, it would be injudicious to me to be seen going into a public-house.

5489. As far as your own opinion goes, without consultation with them, do you think that the licensed victuallers and beer-house keepers and their wives and their children, have at least as great an interest in the objects of this or some similar Bill as the general public at large have?—I think that if we leave out the pecuniary view of the matter altogether, it would be to them an inestimable advantage to give them one day's rest in the seven.

5490. In discussing this question with a view to legislation, do you think that that is a point of the question which should be entirely left out of view?—No, I do not think it should be left out

of view; I think that it should be taken into consideration.

5491. Is it not an argument with regard to persons of an inferior class and persons employed in all kinds of trades that it is a great hardship upon them to be compelled, even although the public necessities seem to require it, to carry on their business on Sunday; is not it the general feeling that the more that day can be made a day of rest the better?—I am glad to say that that feeling is growing in every class of the community. I have had evidence of it in late years by the thousands of working men on our side the water, and indeed in other parts of London, who have met together when there have been efforts as they have thought calculated to weaken the resting privileges of the Sabbath-day. They have met, and in some instances, filled Exeter Hall inside, and as an Irishman might have said, they filled it outside too, just to resist any such attempt as that.

5492. If you were here as an advocate on behalf of the licensed victuallers and beer-house keepers, wholly apart from their pecuniary interest, would you be less a strong advocate for some further restriction than you are at present, looking at their family and moral interests?—No, I should be as strong as at the present time. Apart altogether from my temperance views, I believe that giving them one day's rest in seven would add one year to their life out of ten.

5493. Mr. Baines.] What is your opinion as to the effect of Sunday drinking, especially upon the young people, referring not merely to the direct effect, but also to the indirect effect, that is to say, the effect upon the children of the fathers being drunken on the Sunday. I want to know what you conceive the effect to be upon their health and upon their education and upon the general, moral, as well as material welfare of the rising generation to whom we have to look for the future hopes of England; what, for instance, is the effect upon a vast number of the infants of the working classes in consequence of their fathers drinking on Sunday?—I am sorry to say that there are thousands of children in London who grow up from their earliest childhood familiar with drunkenness and blasphemy on the Sunday as well as on the week-days. I preached yesterday afternoon in East-lane, Walworth, and walked from it to a street running out of Webber-street in Blackfriars-road, and I passed no less than eight gangs of boys ranging from seven to 30 in number, all engaged in gambling; and there is no doubt that most of them were the children of drunken parents.

5494. What do you believe to be the effect upon the health of infants and children still with their mothers from the fathers spending their wages in the public-house on Sunday?—It can be only most injurious in every way; it diminishes their food for one thing.

5495. And what as to their clothing?—The less said about that the better, unless it was provided for them by charitable aid very frequently.

5496. What is the effect upon their habitations, their beds, and all those things which contribute so much to health in infancy and youth?—It is very sad. In some places it is better, I am glad to say, than it has been; but on our side of the water there are some places in which I would not let a dog of mine live, but where human beings live; and as I have already stated to the Com-

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5498. What is the effect upon their Sunday-school education?—There are thousands of them who never darken the doors of a Sunday school.

5499. Are there any who, having been for some period in Sunday schools, are seduced by those places into habits of intemperance?—The Westminster-road, just on the other side of the Bridge down to the junction of the Kennington-road, is on a Sunday night almost impassable from the crowds of young people, boys and girls, between 15 and 19 years of age, who are, there is not the least doubt, entirely beyond parental control. They are continually being brought up before the magistrates for insulting people as they pass, and for rudeness of behaviour. There is a large drinking-house there, that was the Hungerford Hall, Gatti's, which turns them out; they go in there and refresh themselves, and then come out and are a nuisance to every one; it is one of the most brawling neighbourhoods in the metropolis on Sunday-evenings.

5500. Can you fairly connect this with Sunday trading, because that is what we have to look to, and I do not want anything but what you can fairly connect with the indulgence either of their parents or themselves in drinking on Sunday?—The only connection, I think, must be that visible one, that if the father is away on the Sunday evening in the public-house when he might be with his children, there cannot be that affection growing up between the parent and the child which should be the groundwork of all home comfort and happiness.

5501. Do the children themselves get into those public-houses on the Sunday evening?—A considerable number of them do.

5502. Have you known children who were at Sunday schools, but who have been taken away from the Sunday schools in consequence of the habits that they had formed?—In some few instances I have known that to be so.

5503. Do you then think that the moral and material effects of such a course of life upon the rising generation are very disastrous?—They are most disastrous.

5504. And peculiarly on the Sunday evening, is it so, in consequence of their being so much more at leisure on that evening than on other evenings?—There is the leisure of the Sunday, which causes, there is not the least doubt, an opportunity to be embraced for drinking; and the Sunday evening, which should be the happiest evening at home, is very frequently rendered a curse rather than a blessing.

5505. Have you formed any opinion as to the effect upon female virtue of the opening of these public-houses on Sunday evening, when the young women are more at liberty than they are on other evenings?—I have not turned my attention specially to that subject.

5506. Mr. Hibbert.] With regard to the statistics which you have given us as to the workshops, are there any females employed in any of those places?—In some few instances there would be. At Cassell, Petter & Galpin's there would be a few, but the canvass would not touch them.

5507. Would the statistics include females?—I think not.

5508. Of course they would exclude any boys or young people who were employed in them?—They would include simply the men.

5509. That would account, probably, for the small number which appears to have been returned from those places?—Yes; the number comprise nearly all the adult persons employed in those places.

5510. Has your attention been drawn to the Bill before the Committee, with respect to the proviso for the metropolitan district, and that it allows greater latitude in the metropolis than is allowed for the country; do you think that it is necessary to give greater advantages in the metropolis than in the country?—If left to the working men themselves, they would say, "No."

5511. Do you think, from your knowledge of London habits, that it is necessary that you should make greater provision for the metropolis than for the country?—It might be wise, looked at from a statesman's point of view, to make an alteration; but the fewer distinctions of that kind the better.

5512. Why would you make a difference?—If it were left to myself I should not make a difference.

5513. Taking a statesman's point of view, why would you make a difference?—Statesmen, as I sometimes mingle with them, are not quite so familiar with the wishes of the people at large as they might be.

5514. I suppose there is a reason for that proviso which is applied to London; do you know what the reason is?—I do not, except, as I have gathered from the examinations here, that there are a large number of lodgers who appear to be regarded as having no place in which to have their meals; but for the most part, as far as I know, the lower class of lodgers in the lodging-houses of Mint-street and Kent-street, have a common kitchen, in which they all take their meals, which is open for the whole of the lodgers, and there is no difficulty in their having their food. In the case of lodgers, who are of a superior class, young men who are away from home, they generally live with the families with whom they lodge; or if they keep themselves, there are very few of them but have their dinner at home on Sunday.

5515. I suppose you are aware that it also allows any person who wishes to take a meal to go upon the premises, and to consume liquors upon the premises of public-houses during certain hours?—The number of persons who take their dinner in public-houses on Sunday is very small.

5516. Do you not, then, think it is more a matter of inconvenience which is felt from the very wretched homes of many people in London?—People who have got wretched homes, I am afraid, would have hardly any dinner in a public-house or anywhere else, worthy of the name of a dinner.

5517. According to your opinion, it is scarcely necessary, is it, that such a proviso should be kept in the Bill?—There may be reasons why, but I cannot see them; as far as I can see, I hardly think that there is any real necessity for it.

5518. Do you think that the present Bill would be more satisfactory in its working than any restriction of the present hours, allowing persons to drink on the premises if they thought proper, or

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to buy liquor for drinking off the premises during limited hours?—I think that the arrangement contemplated by the Bill would be decidedly more advantageous.

5519. Do you think that the present Bill would cause more reaction, by the extent to which it goes, than the other plan which I have suggested would do?—I think that on the part of comparatively few, and those few not of the best class of the people, there might be some little soreness of feeling; but I am sure, if the honourable Members had passed with me down East—ane just as that class of persons were being turned out of the public-houses yesterday afternoon at three o'clock, they would have thought that the general good of the country must not be stayed by consideration for that class of persons; so far as their personal liberty of a wise and right kind is not interfered with.

5520. You think that you would not prevent legislation on account merely of the drinking portion of the population?—I should not like to say on account of the mere drinkers, but on account of that class of drinkers who make their Sunday drinking from home really a great point in their life.

5521. Taking into consideration the very wretched and miserable homes that are to be found in London, would you not think that at present it would be desirable to allow drinking in the premises for a short time; that is to say, supposing a person wished to leave his wretched home, and wanted something a little brighter and more cheerful, would you not allow him that even for a more limited time?—The wretched home is occasioned by the drink.

5522. Do you think that by closing the public-house you will very probably make the home less wretched than it was before?—There is no doubt of it. We find that when any man is won by moral efforts, and by the efforts of temperance reform, to leave drinking altogether, as I am glad to say that hundreds and thousands have been recently on the south side of the Thames, the very first thing he does is to seek a better home. We have, I am glad to say, not only in London but throughout the country, thousands of reformed drunkards who have now houses of their own; they have found the advantage of buying bricks and mortar instead of buying beer, and they own their own houses.

5523. Do you know whether any number of publicans in the district with which you are acquainted close their public-houses entirely on Sunday?—I do not think there is one.

5524. Mr. Locke.] You mentioned 301 public-houses; in what districts were they?—From the foot of Westminster Bridge to the foot of London Bridge, and bounded by the river, all within that district down to the Borough-road, Westminster-road, and High-street, Borough.

5525. Do you take the water side all along there?—Only on one side, the inner side.

5526. How do you mean the inner side?—The northern side of the way.

5527. From Westminster Bridge down to London Bridge?—If we were walking from Westminster Bridge to London Bridge we should take the left-hand side of the road; the public-houses on the right-hand side would not be considered to be within the boundary. We take all on the left-hand side to the river boundary.

5528. That is the left-hand side of Westminster-road?—Yes, the left hand side of Westminster-road.

minster-road and the left-hand side of the Borough-road.

5529. What do you do with the York-road; do you take that in; were any of those public-houses there?—We take all the public-houses in the district within that boundary between the river margin and the left-hand side of the broad road going to London Bridge from Westminster.

5530. That is a very large portion; what parishes is it in?—It comprises part of Lambeth parish; it embraces the whole of Christchurch; part of St. Saviour's; and part of St. George-the-Martyr; it is not a mile square.

5531. Does it take in Kent-street?—No.

5532. But it takes in Lant-street and all that part by Union-street?—Yes.

5533. What would be the population altogether there?—The population of that district would, I dare say, be 70,000 people.

5534. There are about 200,000 altogether, are there not, in Southwark?—In the Borough of Southwark there are, but a large part of the borough is excluded by my map, and that the best and most considerable part of it. I exclude all Bermondsey, which is the largest part; and Rotherhithe also is excluded.

5535. And a great portion of St. George-the-Martyr is excluded?—A large part of it; all that part of Kent-street and White's-row.

5536. You have not taken in the Kent-road at all, have you?—No, not all.

5537. Nor Kent-street?—No.

5538. I believe you are a total abstainer, are you not?—I am; I am very glad to say.

5539. Therefore you never want to go to a public-house either on Sunday or Monday, or any other day?—Not for my own personal convenience. I go sometimes when I am sent for to see sick people.

5540. For the purpose of having anything to drink, you would not go anywhere for it, not even at home; you never take any fermented drink?—No.

5541. Nothing but tea and coffee and those sort of things?—Anything that is pleasant and cool that would not make me tipsy.

5542. Therefore with regard to the wants of the public, you do not form a portion of the public that has wants in that direction?—Yes, I do; my salary is very limited, and I have to pay very heavy rates as the result of drunkenness.

5543. You have no wants in that direction yourself; you do not want any liquor?—No; but I have a deep interest in these matters, although I have no personal wants.

5544. Of course you have an interest in keeping down the rates, as we all have, but do you think that if those public-houses were restricted in this way on Sunday it really would put an end to drinking at all?—The best answer to that is, that it already has.

5545. Do you think so; I do not think that you have shown that; where has it done so?—The drinking in 1839, I well remember, was very terrible, when the houses were allowed to be open all day, and I remember that there was at once a marked improvement; I am quite sure that during the time of Mr. Wilson Patten's Act the improvement was, if possible, still more marked; and the action of Sir George Grey's Act has been beyond compute, and astonishing even to those who were the originators of it.

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5546. That Act was passed with the sanction of the publicans, was it not?—No, I think not.

5547. Sir George Grey's certainly was; there was no opposition offered by them to Sir George Grey's Act?—There was not, because at that time they were getting up as much opposition as they could against Mr. Somes and his Bill; but I may also inform the Committee that I had the pleasure of being in Guernsey, where the entire population is almost a working-class population, and they close the public-houses entirely on the Sunday there, not only without inconvenience, but with so much advantage from the restrictive principle, that now they are making a canvass through the various parishes to get the people to go to the Estates Court for restricting the sale of drink altogether.

5548. Drink is a very cheap thing in Guernsey, is it not?—Yes, very.

5549. It is the cheapest place for drink, of any, probably?—Except Jersey, perhaps.

5550. They have no duties to pay, have they?—They are in the happy position of having no taxation.

5551. Do you know whether they have a good many drunken people there?—There have been fewer drunken persons since the closing on Sundays than there was before.

5552. Setting aside that drink is cheaper in Guernsey and Jersey than in any other part of the Queen's dominions, is there more drinking there than there is here?—There is a considerable amount of drinking and a good deal of drunkenness.

5553. But is there more than there is in any other part of England?—I have had no opportunity of making the comparison.

5554. Then, if those persons are not worse than others, it is not always the facility of getting drink that makes people drunkards?—They do not earn so much money as they do in England; the wages are much lower, and there is not the same amount of money spent in drink now, though the drink be cheaper.

5555. The price of drink is not actually that which makes the difference, but it is the duty which is put upon it that makes it dear in this country?—I think that the publican, by mixing, makes it about equal before it gets to the customer.

5556. They make it weaker, do they not?—They use liquor discriminately; there is not the least doubt that they know how to use some other material too, if the reports in the police records are right.

5557. They do not make it stronger, do they?—They give it a fictitious strength.

5558. In what way?—If I am to judge by the proceedings got up by the Excise in the different courts, they have sundry ingredients, coculus indicus and strychnine for beer, and for spirits they have vitriol and sundry other things, if the evidence given be correct.

5559. Like other people they do not always give the pure article; we have had a good many accusations about bread, you know?—I am afraid they have more than their share of impurities.

5560. I think that publicans are almost the only persons who are visited by the excise, are they not?—They are the only persons who remain open on Sunday.

5561. I mean to say with regard to the adulteration of articles of sale?—The excise visitation is not perhaps so stringent as the visi-

tation by the visitors from breweries, to see that they do not overdash the drink, so that the breweries may not suffer.

5562. However, the Excise have to examine it?—Yes.

5563. With regard to other shops, there are no special officers to do that, except in the case of publicans?—Yes, all persons who sell excisable articles are liable to inspection.

5564. For instance, in the case of the Adulteration of Food Act, there are no officers appointed by any parishes?—They can do it if they like.

5565. But they do not do it, because the expense would fall upon the parish if they appoint a person?—Yes.

5566. It would be necessary for them to employ a medical man with a laboratory, to test all the things that are brought to him, and therefore it has not been done?—It has not, as a rule.

5567. Therefore, with regard to publicans, they may be great sinners, but at the same time there are more people to look after them than there are to look after others. Are there not people actually appointed to do so?—No doubt there are.

5568. You have stated, have you not, that drunkenness has very greatly diminished?—I did not say very greatly, but there has been a diminution, and a very pleasing diminution.

5569. What I understand you to say is this, that the drinking people are a special class of low people who cluster about those public-houses on Sundays and on other days, and who get drunk?—No, what I said was, not the drinking people, but the class of people who drink on Sundays, and make the public-houses their home, instead of their own homes.

5570. But they are a low class of people, you say?—Very low, for the most part.

5571. Besides those people, do you think there are any others, respectable people who would require to use a public-house on Sunday?—There is no doubt that there are persons, but the public-house would be open for their convenience by this Bill, for two hours in the middle of the day, and two hours in the after part of the day.

5572. But will those hours suit everybody; are there not in London a large and respectable class of people who take their meals in public-houses every day in the week?—Very few; of course it is impossible to pass any law to suit everybody's convenience.

5573. Take those houses in Fleet-street, round about Chancery-lane, and round about the Inns of Court, are there not public-houses there where people habitually take their dinner, and likewise their beer or their wine, or whatever it may be?—The number of working people in Fleet-street or the neighbourhood on Sunday is very limited.

5574. I am not speaking of working people but of respectable people of another class?—In the neighbourhood of Chancery-lane they do not live there on Sunday, they know better than that.

5575. Some of them are obliged to do so, are they not?—Very few; I have passed up and down Chancery-lane on Sunday, and through Fleet-street, and I have seen very few of the class that you indicate.

5576. Where do they live?—They take their choice; some live at Croydon.

5577. I am speaking of clerks and people of that kind?—They mostly get out of town a little way, where they have a house.

5578. Do

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5578. Do you suppose that they all have arrangements of that kind?—I hope they have; they are thoughtful people they have.

5579. Supposing they are unmarried people, where are they to get their meals?—With the persons with whom they lodge.

5580. Do you think they do that in London?—I am sure of it.

5581. Where they lodge?—Yes.

5582. It must be a shocking bad dinner, must it not?—They mostly make an arrangement, as far as it comes under my observation, to pay too much for lodging and for food; the one payment covers the whole.

5583. Are not those eating-houses and places full, on Sunday as well as on other days in the week, of people eating their dinners?—No.

5584. Do you mean really to say that you have not observed on the north side of the Thames those eating-houses and places where I do not mean to say merely working men go, but other persons go and take their meals; in fact they have no other place at all to take their meals, but those places?—If any eating-houses on the north side of the Thames had to depend for a livelihood upon the profits which they derive from the sale of dinners, supposing they dined no more on other days in the week than they dined on Sunday they would soon be in the Bankruptcy Court.

5585. But suppose the case of a young man who had no dinner on Sunday, through the operation of the Bill he would be in a worse case, would he not?—The Bill makes provision for that.

5586. You said just now in answer to my friend that you thought that the Bill would be better without that provision, and that you would strike it out of the Bill?—I said that the number of cases which it met were so few, that it would really meet but a very few cases; everybody has a home.

5587. A man might likewise wish to go in, not to take a meal, but to take a pint of wine or whatever it might be, and he might not wish to go in probably between 1 and 3 o'clock, he might like to go at some other hour in the day, would it not be inconvenient to him and if there were a large class of such people it would be a great inconvenience to a vast number of people in London that they should be restricted in that manner?—It would be an inconvenience to a certain number, but I do not think it is quite correct to characterise it as a vast number.

5588. That is a mere matter of opinion, whether it is a large number, or a small number, but you admit that there are a good many people of that sort?—A good few would be inconvenienced by every law of this kind.

5589. Do you think that you ought to pass laws which you know will inconvenience a great number of respectable people, who can restrain themselves, merely for the purpose of protecting drunken people against themselves?—No, for the general advantage of the community; we have to look at the wants and requirements, and the general well-being of the community; not to the particular idiosyncracies of here and there one.

5590. But still you ought to be very careful in passing laws of this sort, ought you not?—Decidedly all laws ought to be very carefully passed.

5591. Particularly laws which interfere with person's domestic habits, and when you do not know exactly how it may affect them?—Such
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laws ought never to be passed until the voice of the people is largely in favour of them.

5592. That is to say, all classes of people?—Yes, all classes of people.

5593. Do you think that all classes of people have expressed themselves in favour of this Bill?—They have expressed themselves, so far as I know, going considerably further than this Bill.

5594. You have spoken of a particular class, and I think you have mentioned altogether 650 people, and those persons were all householders?—Yes.

5595. They do not care so much about it as the lodgers would and persons of that description, do they?—I have no doubt, whatever, as to the lodger's opinions being the same as the householder; we can only get at public opinion by such a canvass as that, or by public meetings, and as far as I know of every public assembly, and every attempt to canvass the people amongst any class of them, they have always gone decidedly in favour of further restriction even to a greater degree than the present Bill.

5596. By whom were those meetings called that you speak of; was it by the association?—No, not at all; but by working people.

5597. But those are working people, are they not, who are very much interested in this question?—They are interested in all social questions.

5598. They devote themselves to certain measures of this sort, from time to time, and call meetings?—Not particularly.

5599. At Lambeth Baths that is a place where they hold most of the meetings, is it not?—In the winter time.

5600. Besides calling those meetings at the Lambeth Baths with respect to the closing on Sunday, they meet for other purposes also, do they not?—Yes; all through the week we have scientific discussions, and we have lectures upon general topics, and almost all kinds of educational machinery; the week is spent in one way or another in elevating the people.

5601. Every night?—Yes; every night except Monday; on Monday night in winter there is the Surrey Chapel popular lecture.

5602. Then it is the people who congregate at the Lambeth Baths who have called those meetings, is it not?—The committee of working men who manage, and who are the deacons of my own church, whenever they see any opportunity of getting the opinions of the people so that they may receive information from them, or get any instruction from them, seeing that that is the only large meeting place on the south side of the Thames, are willing to run the risk of calling a meeting and paying the expenses for the general good of their fellows.

5603. Then I understand you it is the association of which you are the head that has called those meetings?—No, the meeting that was specially held which appointed the deputation originally to Lord Derby with regard to this matter, and the meeting held by the promoters of this Bill, were called by public announcement for the attendance of anybody and everybody.

5604. But who gave the notice; the committee of that association, I suppose?—The persons whom I have already spoken of.

5605. And you are their chairman, are you not?—I am their minister.

5606. And those are the parties who gave notice of the meeting, and who were instrumental
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in carrying it out?—Yes, but their opinions as regards drinking is shared, there is not the least doubt, by the great mass of the drinking community. As the Honourable Member is aware, we commenced the working men's exhibition movement at the Lambeth Baths; we have held two very successful ones, and on both occasions the exhibitors, not by any means attendants upon the baths, but indeed from the whole of the south and south-western district, met, and made their own regulations; and the most stringent regulation amongst the rest was this, that there should be no drinking of intoxicating drinks in the exhibition.

5607. That exhibition was got up, was it not, by meetings all over the town?—Yes; but still as regards that, the feeling was universal that there should be no publican element in it.

5608. I had the pleasure of meeting you, I think, at one of those meetings, in St. Olave's school?—Yes.

5609. Mr. Roebuck.] I take it that your argument is this, that past restrictions have led to good?—There is no doubt of it.

5610. And therefore further restrictions must lead to good also?—No doubt.

5611. And that would lead you to total closing, both on Sundays and other days in the week?—When the people were in its favour.

5612. That is your argument, is it not?—No, I am not arguing the question; that is not the way I should put it if I were arguing it.

5613. I hope there is argument at the bottom of what you have said, because if there is not, there is no value in it; and I want to know how you have got at your opinion?—I have already stated to the Committee, that by the observations which I have had of the working of the Acts of 1839, 1854, and 1864, from experience in Guernsey, and also experience of the action of the different restrictive laws in America, everything proves this; and indeed a resolution was passed by the licensed victuallers themselves in Birmingham, at a meeting of the Licensed Victuallers' Association, that every facility for the sale of drink increased the number of drinkers, and that the taking away of facilities made the people more sober; that resolution the publicans themselves passed against the beer-house keepers.

5614. That is what I want to bring you to. I say your opinion is that past restrictions have led to good, and therefore further restrictions would lead to further good, and if there were complete restriction it would lead to complete good?—That is so.

5615. Do you believe that?—Quite.

5616. Do you believe that you can ever put down drunkenness?—When people are prepared to do it for themselves, I should never attempt to do it alone.

5617. Do you believe that any legislative proceeding at all will put down drunkenness?—It may put down the public sale of incentives to drunkenness.

5618. You may put down the open sale of liquor, but will not it be sold illicitly?—There is a possibility of that being done, but that is against the law, and has not the law in its favour, whereas the present drinking habit has the law in its favour.

5619. I heard you quote America; do you know that the Maine Liquor Law is a dead failure in America?—No; and I do not think anybody else does.

5620. Have you seen the reports made to the British Government by the British consuls in Massachusetts?—I have not seen those reports.

5621. Then you do not know that those reports do not contain the statement that I make?—The Maine Law in Maine has been made more stringent very recently; and the prohibitory Liquor Law in Wisconsin has been incorporated into the constitution of the State, so that it is put out of reach now of the State elections phase, so that the Maine Law has been found to work so much good there that in the one, its parent State, it is made stronger, and in another it has become a part of the constitution of the State.

5622. I am directing your attention to Massachusetts, the largest of the New England States, and there we learn from our own authorities that it is a total failure, and has been repealed?—The authorities may perhaps not have given sufficient attention to the subject. I do not say they have not. I have not seen the reports, and therefore cannot express any decided opinion about them, but there has been a law giving the people a permissive power of prohibiting any license to be granted.

5623. Not in Massachusetts?—I think I am correct in saying this, that the new law adopted in Massachusetts contains a permissive prohibitory clause, giving the electors a veto by a bare majority on the issue of all licenses for drinking on the premises.

5624. What is the date of that law?—The date of that law would be within the last month.

5625. Are you prepared to pledge yourself to the accuracy of that statement?—I am. I am told that the mayor and the other local authorities are required when licenses are issued to give notice to the liquor sellers not to sell or give liquor to such persons as may be injuring their health or wasting their property by excess.

5626. You say that that has been passed within the last month?—It has been passed; I am not sure as to its being passed within the last month. I may also say that there is another clause, that the wife of any person injured by liquor sold to him may bring an action for damages against the person selling the liquor. I advocated that very principle myself before a meeting of the Society of Arts on the dwellings of the people, and if that was done in England, I am quite sure there would be better dwellings for the people very soon. Let me say, in order that I may be quite fair, that the governor of the State to which I have referred has refused to approve the law, but does not attempt to veto it, so that it remains law. The ground of the governor's disapproval, was that he believed that it was not sustained by the judgment and conscience of the majority of the Commonwealth, but he did not veto the law, and therefore that law is in force now.

5627. You refer to that as the present state of things in Massachusetts?—Yes.

5628. That is exactly what you want to bring us to, is it not?—When the people are quite ready for it.

5629. Do you expect and hope that the people will be brought very soon, or within a given time, to that state of feeling?—I do not know how soon it might be; but I am sure of this, that there are men who are prepared to work and

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and to spend money for it, until the public opinion of the country rises up to that point.

5630. And you are one of those men?—I am one of those persons

5631. Mr. *Knatchbull-Hugessen*.] You have stated that you thought the majority of the well-intentioned working men were now in favour of further restriction?—I am sure of it.

5632. Do you consider it at all a test of being well-intentioned their frequenting or their not frequenting public-houses?—No; I think that a man who frequents a public-house may do so quite as honestly as a man not frequenting one.

5633. What you mean by well-intentioned, is the whole body of the working classes?—I mean gauging a man's intelligence by his general conduct, not by his drinking or not drinking.

5634. You stated, did you not, that public opinion is growing in favour of further restriction?—There is no doubt of it.

5635. Do you think that there has been any pressure of public opinion brought to bear upon the publicans?—I do not know; the publicans have been trying to do very much in getting public opinion upon their side.

5636. Are not publicans persons who exist by supplying a public want, fancied or real?—There is no doubt of it.

5637. Then, if public opinion is growing rapidly in favour of further restriction, must not that, in the very nature of things, bear upon the body of publicans?—There is no doubt of it.

5638. If the publicans believed in the voluntary closing of their houses on Sunday, and that they would be supported by public opinion, do you not think that they would be likely to do so?—At the present time I hardly think they would, because the legitimate wants of people are more than met by the number of public-houses which there are.

5639. You do not think that public opinion is sufficiently advanced to press publicans into closing their houses on Sunday?—I do not say that public opinion is not sufficiently advanced, but however advanced public opinion might be, the publicans would not yield to any expression of that kind.

5640. But they must yield if their customers put a pressure upon them, must they not?—That does not necessarily follow.

5641. You probably did not hear the evidence the other day regarding those publicans, who voluntarily closed, that the pressure put upon them by their customers, was such that they had to open again?—I did not understand the evidence quite like that; one after another of the 14 opened in spite of the engagement which they had entered into, and the result was, that when one after another went in, the whole caved in.

5642. Was not that re-opening occasioned by

the public, that is to say, the customers not consenting to the closing?—No, it was not; the very same thing occurred many years ago at West Bromwich, and I believe that before Mr. Villiers' Committee in 1854, it was brought out. I am very familiar with the circumstance that at Hill-top the magistrates or the visitors got 60 publicans in that neighbourhood to agree to close, and I do believe that the majority would have honestly kept that agreement, only they found that one or two of the principal men began to open, in spite of the agreement, and then they all fell back.

5643. Still, if the public opinion of their customers had been sufficiently strong, the publicans would have kept to their agreement?—I do not know that; I cannot answer.

5644. Mr. *Evans*.] You have spoken about Guernsey; were you long in the Channel Islands?—No, only just passing through them; but since this Bill has been referred to the Committee, I have made special inquiries from the senior magistrate, Mr. Tupper, who was the president of the Harbour Commissioners; and I also took an opportunity of asking him, and he very kindly gave me the information; I said to him, "You have been employing a great number of men in the construction of this beautiful harbour; have you ever experienced any inconvenience when they have been working in wet or dry weather, as regards Sunday restriction, or any other restrictive laws against drinking?" and he said "No, they were almost all in favour of it."

5645. You do not know, from your own knowledge, whether they are a sober population or not?—Not from personal examination.

5646. I happened to be acquainted with those islands, and I should have said that they were a very sober population?—I was very much pleased with both the islands in passing through them, but I cannot say, from personal knowledge, whether they are a sober population or not.

5647. Mr. *John Abel Smith*.] Is there anything further which you wish to state to the Committee?—I have also a canvass, if the Committee would like to look at it, of the neighbourhood of Peckham, which shows the same kind of expression of public opinion from a different class of people (*handing in the same*). By this canvass it appears that 849 householders returned the schedules filled up, and that there were 529 in favour of total closing, 234 against it, and 86 neutral. I may also observe, that streets inhabited chiefly by artisans were selected for canvassing, though some of them contain a mixed population. Wherever this is the case the schedules strikingly bring out the fact that the majority of working men are in favour of total closing, whilst those who oppose it belong largely to the middle and upper classes: artists, gentlemen, clerks, &c. figuring mainly among the "Noes."

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MEMBERS PRESENT:

Mr. Baines.
Mr. Evans,
Colonel Fane.
Mr. Hibbert.
Mr. Horsfall.

Mr. Knatchbull-Hugessen. *
Mr. Locke.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Yorke.

JOHN ARTHUR ROEBUCK, ESQ., IN THE CHAIR.

Mr. THOMAS SMITH, was called in; and Examined.

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5648. *Chairman.*] I BELIEVE you have a statement to make to the Committee with reference to some evidence which was given on Monday last; would you wish to put it in the form of a written statement or to do it *vivâ voce*? —I wish merely to say a few words to correct one answer which has been given here, which is a palpable falsehood as far as concerns myself. Being present at the last meeting of the Committee, and having heard the evidence indistinctly, it was only through my friends that I knew of it; I afterwards saw the answer of which I have to complain, and I wish to say that that answer is quite contrary to the truth.

5649. Will you be good enough to state what you desire to lay before the Committee?—The statement of which I have to complain was in answer to Question 5,415.

5650. I will read you the question and answer, and then you will make any statement you think fit. “Do you recollect the resistance which was offered to Mr. Wilson Patten’s Bill? (A.) I remember that there was a riot in Hyde Park, but I happened, with the full consent of Mr. Councillor Stinton, who at that time was president of the Licensed Victuallers’ Friendly Protection Society, or a branch of it in Birmingham, to be present at their anniversary. The then Mayor of Birmingham, Mr. Palmer, was in the chair at Dee’s Hotel, where the meeting was held, and there was a deputation from London present, Mr. Raven and Mr. Smith, who was

described as the Parliamentary Agent of the United Towns Association. They took special credit to the association, and to the expenditure of its funds in providing the people with drink who created those Hyde Park riots?”—That is the question and that is the answer; and the part which I object to is, that “Mr. Smith took special credit to the association, and to the expenditure of its funds in providing the people with drink who created those Hyde Park riots.” I can prove, as I hope to be allowed to do, that this society to which I have the honour to belong and of which I have been the secretary for 35 years, were really, although not the promoters of Mr. Wilson Patten’s Bill; at least in London we assented to it, and that caused very great dissatisfaction in the country towns, and with many of our friends in London. The result was that a new association was formed and then Mr. Berkeley asked for a Select Committee, and that Select Committee repealed the former Bill, and, therefore, it is impossible that I could have said that our society provided the people with drink for such a purpose when we supported the Bill; I should be ashamed of myself if I was guilty of such a thing; I never uttered a falsehood publicly in my life, and I do not think anyone can accuse me of it; and for such an assertion as this to come from a minister of religion I really think is too bad. That is all I have to say; a written answer or anything would satisfy me, so that it is a contradiction; and I thank the Committee for their kindness in allowing me to contradict it.

Mr. JOSEPH LEICESTER, called in; and Examined.

Mr.
J. Leicester.

5651. Mr. John Abel Smith.] WHAT is your employment?—I am a Glass Blower.

5652. Are you the secretary of the Glass Blower’s Friendly Association for England and Wales?—I am the secretary to the Glass Maker’s Friendly Society for Great Britain and Ireland, the London branch of it; that society is one of the richest and the best organised society in the kingdom, decidedly.

5653. Are you also a member of the Committee of the Working Men’s Association which has taken an active part in political questions for the last few years?—I am.

5654. Your employment and your habits of life bring you into communication very largely

with the working class, and labouring men in London?—They do.

5655. On the whole do you believe that that class of men view with favour the proposal for increasing the restrictions on Sunday drinking?—Decidedly so.

5656. Do you believe that their personal wishes and aspirations go beyond the limits of the Bill referred to this Committee, inasmuch as a great many of them are in favour of Sunday closing altogether?—My opinion with regard to the sentiments and feelings of the working classes with reference to this measure is that it is not restrictive enough.

5657. That is your opinion; do you believe that

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at that opinion is shared by the majority of the respectable working men in the class to which you belong?—I do.

5658. The habits of that class, namely, the glass blowers, are rather intemperate, are they not?—The laborious hot character of the work induces thirst, and I think that a great deal of the intemperance of that class is to be attributed to that fact.

5659. In the process of their work, they are exposed to very great heat, are they not?—Yes.

5660. And that induces the habit of drinking beer?—It does.

5661. Is it their habit largely to indulge in drinking beer on Sunday?—I should say more so than on any other day.

5662. What sort of wages do they get?—It is according to the character of the work; the wages generally go by the ability of the workman. The very first class of workmen in the country get from 3*l.* to 3*l.* 10*s.* and 4*l.* a week.

5663. Those are very large wages; do you know what proportion of those large wages they spend on drink?—That would be a question which I should require time to consider; but I believe that the higher the wages are the greater is the indulgence in alcoholic liquors.

5664. Do you think that the drinking goes in proportion to the high wages?—I do.

5665. Instead of the money going to improve the condition of the wife and children, it goes to the public-house?—I would go so far as to say, that having studied the history of the very flower of our trade, men of first-class ability, and in every other respect first-rate men, I have found invariably that the condition of these men is something lamentable. It is a sociable state which ought not to be; and I attribute it all to the public-house and its pernicious influence.

5666. And do they also attribute it to the same cause?—Yes, undoubtedly.

5667. And they would view with great approval a measure which protected them to some extent against their own folly?—They would hail it as a boon.

5668. And I need hardly ask you whether their wives would be in favour of it?—Decidedly so.

5669. In spite of what you say, you probably think that there has been an improvement in that class?—I do think so of late years. I will just detail to the Committee a most tyrannical custom which we had in our trade, namely, footing paying. In one branch of the trade, there was this custom, which is a species of tyranny, that if a man was out of work, and got a situation, he would be fined 10*s.* for footing. If he was married, he would have to pay 1*l.* If he had a child he would have to pay 2*s.* 6*d.*; and so on.

5670. *Chairman.*] Would he have to pay 10*s.* first of all, and all the other payments in addition?—No matter whether he had a wife previously, if he was married; and for each child; and if he was advanced in the gradations of his trade, he would have to pay for it; and if he blew a new pattern or design of glass, he would have to pay for it. A few men like myself, setting themselves in the face of this tyrannical abuse, have agitated the question, and brought it before our triennial conference, and have so operated upon the minds of the glass blowers that we have rescinded all those absurd customs, and made a law which has really been an educator in the glass trade. We made that law, as a law of necessity, to meet the demands of the case; we lifted it as

high as the demands of truth, and we find that the law itself has been a very powerful educator; the very benefits it has brought about has made it satisfactory to the trade. We have made a law that any man who asks another for a footing shall be fined 2*s.* 6*d.* for every such offence, and be deprived of all benefit until that fine is paid.

5671. You think that you perceive a marked improvement in the habits of the men with whom you associate?—Decidedly so, as far as these causes of intemperance has been removed.

5672. And you attribute that partly to the removal of this custom of footings?—I do. I believe that the removal of the footings has removed that portion of intemperance of which they were the cause.

5673. The general education of the men is better than it used to be, is it not?—I am sorry to say that it is not.

5674. Are they an intemperate and careless set of men?—They are good men in every other respect away from the drink.

5675. Supposing such a Bill as has been referred to this Committee became law, you say that it would be accepted by them, and be approved of; I suppose that that implies an absence of all fear on your part that there would be any disturbance or public opposition to its provisions if it became law?—I have not the slightest fear of any resistance of that kind. I have taken very great pains to ascertain the opinion of the class to which I belong; and what has struck me most is the absence of all opposition to the measure; and when it is reflected that publicans have put flaming placards in their windows, appealing to the basest passions of the working classes, and saying that their liberty was infringed by this measure, forgetting altogether that it is merely a supplement to the law which already exists, I have been much surprised the opposition has not been more fierce than it has. There has been no opposition whatever towards the measure. My position, as secretary for 16 years, brings me in contact with between 200 and 300 glass blowers in London; and on one occasion, I took a petition in favour of this measure into the club-room, and I merely pointed out the provisions of the Bill, and every name in the club-room was attached to the petition at the end of the meeting.

5676. I suppose you have a good deal to do with other working men besides those in that special trade to which you belong?—Yes; there are few men that move about more amongst other trades than I do.

5677. Do you think that the opinions which you have expressed as those of the glass blowers, are largely entertained by other working men in London?—I do. I would just inform the Committee that I have been in the habit of speaking at political meetings, as far as working men's meetings have been called together, and I have generally, when I have had anything to say, spoken to working men about the duty of inculcating self reform as the best of all reforms, and I have told them that I myself have not entered a public house for 30 years, and I find that I have better food for my wife and children; and the audiences, miscellaneous composed of working men, have received it with marked approbation; and not only that, but I speak along with many other working men who go to the densely-populated parts of London on Sunday morning, such as the New Cut, and its vicinity, Southwark, the Borough, Clerkenwell-green, Seven Dials, and

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other parts of London, and we have there, since this agitation has been commenced, tested the feelings of large numbers of working men who have congregated together at those places, and have always had a show of hands, and there has not been any opposition whatever to the measure, but all in favour of this Bill.

5678. What has struck you most is the absence of antagonistic opinions?—That is most strikingly the case.

5679. There has been a very great change, has there not, in the feelings of the working men?—I should say that in the last few years public opinion, with regard to restricting public-house traffic, has been rapidly marching on.

5680. Do you believe that the time has come when restriction may be carried further safely and advantageously?—I do.

5681. Do you believe that restriction produces this effect upon drinking that there is less drinking if there is more restriction?—I believe all things being equal that the greater the facilities the greater the drunkenness; that is admitted by the paid champions of the Licensed Victuallers Protection Society. I may refer the Committee to the celebrated remark made by the late Alderman Wire before the Select Committee on the 17th of June 1853. The question was put by Mr. William Brown: "What would be the effect of an open trade in public-houses?" The answer of Mr. Alderman Wire, who said that he spoke the truth on his conscience, was, "If the public-house traffic were thrown open public morals would be outraged, and the flood gates of vice would be opened." The chairman then asked the question "Why?" The reply of the Alderman was, "Because the publican deals in a dangerous article."

5682. Do you find that the intemperance of the men on Sunday affects their working power in the beginning of the week?—I find that Sunday tipping leads to Monday drinking, and I believe that the very cream of the Bill which you have had the honour of bringing into Parliament is, that it does not allow tipping on the premises.

5683. Do you conceive that the most precious part of that measure is, that which prohibits the consumption on the premises?—Most emphatically so.

5684. Have you ever heard any expressions of opinion by employers of labour with reference to this subject?—I have heard many.

5685. What do they say?—I am continually brought in contact with employers whose men lose their work through intemperance; I would not say anything against those men for any consideration whatever, but I have been called upon, within the last week by an employer who came to me and spoke about his men losing their work through drink; that through their intemperance the fuel of the furnace was being wasted, the metal in the pots could not be worked, and his orders could not be fulfilled; he asked me if I could send him any men; this has continually been the case, for, when I have gone to talk to the men about it, they sincerely wish that the drink was a thousand miles away, or that it was a guinea a pot; that is the general expression of working men; and it seems to me that they would be very glad if the temptation was removed.

5686. But the masters almost uniformly are unanimous, are they not, in favour of increased restriction?—They are in favour of any measure

that would further restrict the consumption of alcoholic liquors.

5687. Were you not sent to Paris to the Exhibition?—I was.

5688. What did you go for?—I went to report upon glass, and upon the workshops of Paris, and also upon the state of trade in Paris with regard to its manufactures.

5689. Have you not gained some prize from the Society of Arts?—Yes; I gained a first-class prize for workmanship at the Kensington Museum.

5690. You have practically and personally, for a considerable time, been generally conversant with the glass trade, and with the details of it?—I have; I have gone through all grades, from the lowest position to the highest.

5691. And you confidently and strongly support the Bill which has been referred to this Committee?—I believe that the greatest blessing which could befall this nation would be the restriction of alcoholic liquors to its utmost limit.

5692. Mr. Baines.] Do you yourself entirely abstain from them?—I do.

5693. Have you found your health suffer in consequence?—I have never had a day's illness in my life.

5694. How long have you abstained?—Thirty years.

5695. Have you known a considerable number of glass blowers who have had good health, notwithstanding their severe exertion and exposure?—Yes, I know a considerable number. At one time nearly half the men in the factory where I work were total abstainers; but many of them are now masters themselves, which I attribute to their sober and careful habits.

5696. On the whole, have the total abstainers or have those who take beer or porter the better health?—I should say that the total abstainers have far better health than those who drink.

5697. What liquor do you take?—I drink milk and water, coffee, and tea, when I am thirsty; I only drink when I am thirsty.

5698. Did you know the late Mr. Joshua Bower, an extensive glass maker at Leeds?—I did not; he was a glass manufacturer.

5699. Am I right in saying that in the glass trade, from your own knowledge, not in your own works merely, but in other works, the class of men who have maintained their health best are those who are total abstainers?—I should say yes, decidedly so.

5700. I believe glass blowers are exposed to about as intense a heat as any class of men?—Yes.

5701. It is a life of most severe labour?—It is.

5702. They are exposed immediately in front of furnaces blazing at a white heat, with the metal which they have to handle in the face of it?—Yes.

5703. So that one may consider it as a very severe experiment?—Yes; I may just mention that the man who works with me, who blows for me, has been a teetotaler for over 10 years, and I have never known him lose one day through illness.

5704. Do you happen to know that in similar trades, the puddlers in iron furnaces in some of the great works in the north, there are many hundred of total abstainers, concerning whom it is testified that they have better health than those who take liquor?—I have read of such cases frequently, but I am not personally cognisant with them.

5705. Are

5705. Are the men in your trade who take liquor in any considerable quantities persons who have good health, or are their lives frequently bridged by their habits?—I should say that their lives are very much abridged, because we hardly ever see an old man a glass blower. I could go over the names for years past, and I find that they die generally young men, and the mortality must be very great in our trade.

5706. Do you believe that if the public-houses were closed on Sunday it would effect such a break on the drinking habits of the men, especially after the Saturday, as would be salutary to themselves, to their characters, to their families, and in every respect whatever?—Yes, I do; I most fervently believe that; from observations which I have made for years, I believe that Sunday drinking is the prolific source of Monday tippling.

5707. Mr. John Abel Smith.] Would you not include Saturday night?—I would include all Saturday; I would close the public-houses up on Saturday as well as on Sunday.

5708. Chairman.] Would you not include the whole week?—Yes, I would indeed; I have not the slightest doubt of it.

5709. Mr. Baines.] Do you believe that it would tend to improve the health, the morality, the comforts, and the education of the working classes?—Decidedly.

5710. And that is the result of your own personal experience, who have had a very long acquaintance with working men?—Yes; I sat down one night last week and wrote down on a sheet of paper the very flower of our trade, the best men in the trade, men that I personally knew, men who earned fabulous wages, and although they ought to be in a state of complete comfort, they are in a state of abject poverty and rags; I know one case of a man who had earned, according to the clerk's book, for I got it from the manager himself, 3*l.* a-week for 15 years, and during that time I have often seen his wife go to the workhouse for bread; I know another who had earned the same wages at one factory with which I am personally acquainted; he was discharged from the factory in consequence of drunkenness, and the last time I saw his wife she had for underclothes merely a piece of old carpet stitched round her body; and this person was a relative of a wealthy family in Birmingham, who had done all they could to restrain this poor victim from his pernicious habits. And so I could go on *ad libitum* showing that low wages do not cause intemperance, but that high wages are the prolific source of it.

5711. Do you believe that they would generally be in favour of Sunday closing?—I do indeed.

5712. Do you believe that they would be very much better dressed and have better food and have better houses, and be able to take better care of their children, if the public-houses were closed on the Sunday?—Yes; when I contemplate this fact that there are 11,000 public-houses in London, that there is an expenditure of 3,000,000 *l.* in drink, I cannot conceive that such a fearful drain from the earnings, and which uses up so much of the wages of the working class, can be attended with anything but disastrous results to the best interests of the class to which I belong.

5713. Are very many of those who have been slaves to the habit of intemperance of the same opinion?—There are thousands who would wish to be delivered from this temptation.

5714. Do they in their sober senses deliberately

consider that it would be conducive to their best interests to have Sunday closing?—Decidedly, I think so, from all the inquiries that I make, and they are not a few; I go to them and talk to them and I find that they wish that drink was far away or that they could not purchase it. It seems to me that habit and custom, and appetite, all those things are far stronger than the will of the victim.

5715. Does that appetite when once formed, and especially under such circumstances, so severely trying to those glass blowers, tend to perpetuate itself?—Yes, decidedly.

5716. Does it tend to create an ever fresh craving for liquor?—Yes, it grows upon that which feeds it, like all other narcotics.

5717. Do you know any trade which is more severely trying to the health of those engaged in it than that of a glass blower?—I do not.

5718. Mr. Locke.] Would this drinking take place during the work?—The drinking is not so prevalent during the work now as it was previous to the time when those footings were abolished.

5719. But does drinking take place while the work is going on in the place where the work is done?—No, I cannot complain that there is much drinking in our glass houses during the work.

5720. But is there any?—Yes, there is drinking, and that considerable.

5721. That is on the week day; it does not interfere with Sunday?—No.

5722. I presume that men when they are over those furnaces are sometimes thirsty?—Yes.

5723. And you think it better that they should drink something else than alcoholic drinks?—Yes, I do think so.

5724. That is not a very limited opinion, is it; in the case of people out shooting for instance, a great many people take with them cold tea; that is a thing which you would approve of?—I cannot tell about those people that go out shooting.

5725. When you are at work by the furnace, what do you take?—I generally drink milk and water, or tea, or coffee.

5726. Is that while the work is going on?—Yes.

5727. But it is necessary that they should drink something, is it not?—Yes.

5728. Is not the perspiration tremendously great?—Yes, and when the perspiration is greatest with me I drink the best water I can get.

5729. Good pure water you think is a good thing?—Yes.

5730. And a great quantity is drunk, is there not?—Yes.

5731. And it is necessary that you should do so?—Yes.

5732. Some of them, while the work is going on, drink beer, do they?—Yes.

5733. They do not drink spirits, I suppose?—Yes, they do sometimes.

5734. Pure spirits while work is going on?—Yes.

5735. Is that done in the workshop?—Yes, and in proportion as they drink just in that proportion are they poor and wretched.

5736. Of course they are, if they have not got money enough to pay for it; but what I want to understand is this, whether a great amount of drinking is carried on while the work is going on?—A large amount of drinking goes on while the work is going on, and much injury is done both to employers and men, yet it is not so much that

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that which I complain of, but you see the glass makers have got a great deal of time on their hands, and unfortunately there are a great number of public-houses about at every corner of the street; wherever you go there is one of those licensed temptations, and my wonder is not that the working men are so bad as they are, but that they are not worse.

5737. But what I understand you to say is, that while the work is going on the drink is consumed on the premises not of the publican, but upon the premises where the works are?—But it is fetched from the public-house of course.

5738. This Bill would not alter that in any way, would it?—Yes, it would.

5739. How would it; they do not drink on Sunday, do they?—Certainly they do; and when a man has been drinking on Sunday, it generally makes him thirsty on Monday; there is no mistake about that.

5740. I suppose, when he has been drinking on Monday he is thirsty on Tuesday?—Just so.

5741. Therefore, your proposition is, that he should not be allowed to drink on any day?—My proposition is, that the law should just do what public opinion demands; that the law should be a reflex of public opinion, as this Bill certainly is.

5742. I understood you just now to express your opinion that there should be no drinking allowed upon any day, and that the public houses should be shut up altogether?—That is, if I had my own way. The question was conditional, and the answer was of a like nature.

5743. Therefore, rather than have none you would be glad to have even a smaller amount of restriction than that?—I would.

5744. But you would like restriction altogether, if you could get it?—My opinion is, that it would be the greatest boon that the Legislature could confer upon this nation.

5745. Do you think it would be a wise and proper thing, even though the promoters of this Bill would not go so far as to say that persons should not be allowed to drink either wine, or spirits, or beer, at all?—I do not think you would need many medical men, or policemen, or gaols, or anything of that sort, if people were to be sober.

5746. Do you think that people who are sober never commit any crimes?—People who are sober commit crime, but there is no incentive to crime from sobriety, whereas there is from drinking and drunkenness.

5747. Do not you find very sober people very often very great thieves and cheats?—I should say that the thieves in general are the offspring of drunken parents.

5748. I mean a higher class of thieves of whom we have seen a great many during the last year or two, men who do not steal a shilling, or take a purse, out of a man's pocket, but who cheat them by millions?—I believe that that remark would hold good with regard to prostitutes, many of whom are well-known thieves, who never get drunk, but who just take as much drink as fire them for their nefarious calling.

5749. My question had no reference to prostitutes, but with regard to the great thieves, is not it the fact that some of the greatest criminals in this country, men who rob the public to an enormous extent, are some of the most sober people in it?—Yes, I believe that is so; and I quite believe that of some of the greatest murderers as well, but that does not destroy the other

fact, that the great prolific source of thieving and robbing, and murder, are intoxicants.

5750. But still there are many persons, are there not, who are extremely temperate, and who use their temperance very frequently to get the better of other people who are not quite so temperate, so that crime is not limited entirely to persons who are not total abstainers?—I remember reading a sentence delivered by the Recorder of Hull, Mr. Warren, in which he said that during the time he had been on that bench for a period of ten years, he never had a total abstainer before him, but that nine-tenths of the people who did come before him came from the public-house or the beer-shop.

5751. Are you aware that at the Quarter Sessions where Mr. Warren presides, that class of persons to whom I alluded in my question, are very seldom tried; I mean the great offenders, whose offences are too great for him to try?—I am not aware of anything of the kind; I am only speaking of those whom he has tried.

5752. Those are ordinary cases, are they not, of persons stealing trifling amounts, and so forth?—It would be very easy to show from the judges themselves, what is their view of the great cause of crime. I do not believe that truth can ever beget falsehood, or that virtue can ever beget vice, nor do I believe that sobriety will ever beget the habit of thieving.

5753. You put all the offences upon persons who consume these liquors; and I ask you this, whether very great offences are not committed by persons who do not indulge in liquor at all, and even greater offences?—I do nothing of the kind; I only state what the judges of the land are continually stating. Let me refer you to a statement made by the Rev. John Clay, the chaplain of Preston Gaol for 30 years; he gave in a map in 1855, which map I have studied very carefully; it is a criminal, religious, moral, and educational map of this country. The Rev. John Clay says, that no matter what the condition of a country is, whether it is educated or not, crime is always the reflex of the number of drunkeries in the country.

5754. What sort of crime?—I suppose he speaks of crime in general. I am not here to particularise the crime, but that which is productive of one class of crime, I have a right to infer would be productive of all others.

5755. But there is a very high sort of crime, swindling, and so forth, does that arise from drunkenness?—It was a very high sort of crime which caused President Lincoln to be shot, and the assassin was fired with drink at the time he did it. I call that a very high crime.

5756. Was the man who shot President Lincoln a drunkard?—No, a drunkard would not do it; it is the man who is only moderately drunk; the man whose arm is nerved for the deed of darkness by drink; it is not the drunkard class.

5757. Are you aware whether that man was a man who drank habitually or not?—Decidedly; Booth was an habitual rum drinker.

5758. Was not he mad besides?—Yes, but he was mad, because he took that which made him mad.

5759. Are you quite sure of that?—Positive; for my reading of the American papers proved to me that Booth was a regular rum drinker, or a regular spirit drinker. In the case of the man who murdered Mr. Plow the other day, there was the usual concomitant of murder, the whiskey or the rum flask was found on the murderer.

5760. You

5760. You must be aware that in the Central Criminal Court a great many persons are tried who are not drinkers at all, but who have committed very great offences?—I am not aware that any teetotallers ever go to those places; that is not a place for teetotallers.

5761. I am not speaking of total abstainers, because I never saw above five or six of them, but will you answer my question?—I have a great respect for the Honourable Member, and I should advise him to come into the New Cut next Sunday morning, where we should show him such an immense gathering as will show him what the public opinion of Southwark is with regard to this measure.

5762. You were speaking of those meetings which you have had in the New Cut, where all the people held up their hands; who are those people, do you take them promiscuously?—Yes, they are the passers by; the men who by their stabilities and by their demeanour will show you that they are hard working men.

5763. How is it that you got this class of people to hold up their hands?—We hold a temperance meeting every Sunday; that is to say, those who take a very great interest in all that will reduce this misery and drunkenness, and we hail this Bill as a great blessing, and we speak upon it.

5764. You address anybody who chooses to come round when you are in these places upon temperance?—Upon temperance in general.

5765. And when you finish your address you call upon those people to hold up their hands?—When there is any special measure before the House of Commons such as this, we think it is a good way to test public opinion.

5766. This is not the only question upon which you address them in the New Cut, but it is the only questions upon which you address them on Sunday?—All that we talk about at those meetings is, what a comfortable condition we are in who abstain, compared with the poor victims who use the drink, and when the Legislature has it in hand to further restrict the liquor traffic, we think it is our bounden duty to not only to point out its provisions; but also to show what the effect of the measure would be upon the country at large; and at the close of the meeting we ask them to show their approval or disapproval of it by holding up their hands, and if the Honourable Member will only come there next Sunday morning, I will promise him that 2,000 people will come and see him, and he shall have a hearing on the other side of the question.

5767. Whereabouts will the meeting be?—Close to the Victoria Theatre.

5768. I understand you to say that this was not the only question about which meetings were held?—These are the only questions that we advocate at these meetings.

5769. You hold other meetings likewise, do you not?—I have spoken at political meetings in connection with the Working Men's Association.

5770. In the New Cut?—No, not in the New Cut; I only refer to temperance meetings in the New Cut.

5771. This is the only question that you agitate in the New Cut?—That is all.

5772. You always get a favourable audience, do you?—They are very favourable when they come, no doubt of it, but a speaker can always tell by his audience whether he is appreciated or not. When we speak about the money that is expended

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in drink and the vice and misery that it engenders, and when we point to the public houses there, flourishing in the midst of the nation, and the ruin that is caused by drink, the moment we show them that that money which is spent in the public-houses is just the absence of so many comforts from poor people, we can see their eyes kindle and their faces light up when they think what a blessed country this would be if it was not for those public-houses.

5773. You mean that it would be very much better if they had the money in their pockets instead of spending it?—I think it would be very much better if they spent the money in a more useful manner.

5774. If they had saved it instead of spending it in drink it would be very much better for them; of course they all agree to that proposition?—They all agree that Mr. Abel Smith's Bill is a first-rate measure for England.

5775. All that you have addressed I am quite satisfied would think so, but do any of them come up and go away in the middle of your discourse?—Yes, they go away if they do not like the matter, just as they would from you or any one else if you were speaking at an election.

5776. As I understand you, the people in the New Cut are extremely polite; but who are those who remain to the end and are disposed to agree with the orator?—They are a class of men that I along with others wish to elevate and improve; but we find that the public-house is the great stumbling-block; Mr. Buxton, the great brewer, said some time ago, in the "North British Review," public opinion ought to guide the number of licenses, and he made use of this observation; he said that the library and the school and the church pitted against the public-house and the beer-shop, is only one stage of the conflict between heaven and hell; and he might have added that his satanic majesty gets the better of them.

5777. What remedy did he suggest?—A Permissive Bill that a certain majority in a parish should decide whether there should be public houses or not. He is an ultra man, is Mr. Buxton, in theory; whatever his practice may be, I do not know.

5778. Where did he write that?—It was written a few years ago; Mr. Lawson quoted it in the House of Commons.

5779. But Mr. Buxton has changed his opinion since that, has he not?—Yes; he found he was hotly pursued by public opinion, and he wanted to veer round, and set his sail for another haven; but somehow or other the words stick there.

5780. Public opinion has convinced him the other way, I suppose?—I cannot enter into his convictions. I can only deal with arguments and facts.

5781. But he has changed; his opinion now is not what is expressed in that pamphlet?—I do not know that he has given any reasons for the change which you say has taken place. Indeed, I do not know that he has changed at all; that is an assumption. He has endeavoured to explain away something, but I do not know what it is. But the facts are too patent for any change of mere opinion.

5782. *Chairman.*] I think you stated that some time after you went to the trade there was a great reformation wrought about the paying of footings, and you did that by argumentation with the men, did you not?—Yes, it was the negative virtue of abstinence in the man who abstained.

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5783. I want

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5783. I want to know whether this great reform that you made in paying footings was done simply by argumentation?—No; it was not made by argumentation; it was made by a law of the representatives of the trade, who saw the mischief and provided the remedy.

5784. It was done by the trade?—Yes; but it was done independently of the education of the masses.

5785. It was done by the trade?—Yes, by the representatives of the trade in conference.

5786. And it was done without the aid of the general law?—Yes; without the aid of the general law.

5787. It was a great reformation, was it not?—Yes.

5788. And done through the influence of the more respectable class of the working men?—Yes.

5789. And done through their intellectual exertion?—Yes.

5790. And their moral feeling?—Yes.

5791. And done without any aid from the law?—Yes.

5792. I want to know why you cannot think that a further reform can be effected by the same means?—Simply because the public-house traffic counteracts that counteractive.

5793. Had you not there the counteractive influence of the public-house?—Only to a very limited extent; and the remedy has been embodied in a law by the trade.

5794. Why cannot the law of the trade put down all drinking whatever?—That is just the position with regard to this measure; we say that public opinion demands the law, and we beg you, the Legislature, to grant it, as the intelligent portion of the glass trade demanded the abolition of those tyrannical customs. They found that it was for their own interest, and the law was embodied in a rule, and passed, and that is what we want from the House of Commons.

5795. Are you not confounding the word law with a rule of your association; I use the word law in a general sense as meaning that which has been passed by the Legislature of the country; but this great reform of which you speak was done by your rule?—I am no word-monger or intellectual posture-master; the principle is just the same in its effect upon those who constitute the glass trade as though it was an Imperial measure, and is analogous to law itself.

5796. You see that it was without the aid of the law, and I want you to consider this; cannot you carry restriction to such a point that attempts at evasion will follow?—I dare say that that same thing might be said of every other law, that all law is evaded; but that is no reason why we should have no law, surely.

5797. Do you not see the great fallacy that you are attempting to put upon me; we put down all thieving because thieving is a bad thing in itself, and we put it down altogether, but eating and drinking are not bad things in themselves; it is only in excess that they are bad; but here is a totally different case. You have to a certain extent, by the aid of the law, improved the morals of the people as regards drinking, and I want you to consider whether you do not think that the law has gone far enough; that it has stretched its powers enough, and that there would be danger of evasion, and all the mischief following upon evasion, if you go further?—The law does not allow every man to sell on Sunday. The law prevents the sale of liquor on Sunday morning; and the law prevents the sale of liquor from one

to four on other mornings in the week; and we say that what is bad from one to four in the morning cannot be good from four to seven, and therefore restriction, if logically carried out, is entire prohibition. And only one man in 40 is allowed to sell, so that the present law is really, and, in fact, 39-40ths of prohibition. The Legislature says, and the publicans themselves say, that morals will be outraged, and the floodgates of vice will be opened if the trade in liquor is made perfectly free. Now this is a trade which is created by the breath of the magistrates, so that we might logically call a publican a ticket-of-leave man, because he has his ticket or license on condition that he behaves himself for 12 months; and that is a ticket-of-leave, in fact.

5798. We know what the insinuation is; do not use that phrase, I beg of you?—They have their licenses from year to year, and I should like to know what other trade has its rights created from year to year. If the magistrates can create this trade by a breath, it is the right of the public, surely, to put it down, if it proves injurious to itself.

5799. You have not yet answered my question; will there not be danger of evasion, and does not evasion lead to the vice of hypocrisy, and those mischiefs which arise from hypocrisy?—I do not know that there is any greater danger of evasion under this law than there would be under the existing law; I cannot deal with speculative imaginings.

5800. I want you merely to tell me your opinion; you seem to believe that a partial restriction is quite the same as a total restriction?—My opinion is this, that no human being that ever was created was born with the love of drink.

5801. Pray just answer my question and do not make a speech?—If you will allow me to answer it in my own way I will answer it; I say that the love of drink is acquired just in proportion as facilities are held out for its indulgence.

5802. A legislator sees the mischief of drinking, but, in his endeavours to stop it, a time comes when he finds that restrictions may be followed by mischief; I want to ask you simply whether you have ever considered the danger which the Legislature might create from evasion by passing a too restrictive law?—The only fact I have considered is, that the private drinking it might cause would bear no comparison to the vast amount of public drinking it would prevent; and I contend that the public is the most proper tribunal where restriction should stop. To that tribunal we appeal as to the justice of this measure; we believe the public will hail it as a boon, and my answer once for all is, that I cannot possibly conceive any greater danger of evasion under this proposed law, than I do from the law already existing.

5803. Mr. Horsfall.] You have informed the Committee that you are secretary to the Glass-blowers' Association; does that association consist exclusively of masters or exclusively of men, or does it consist of both?—Exclusively of workmen.

5804. By how many firms are those workmen employed?—There are about 50 of those workmen employed in London in one manufactory, but I have no idea of the firms; we only include numerically the number of the men.

5805. But you know where your men work, do you not?—Yes.

5806. For how many different masters do they work in the association of which you are secretary?—They are spread all over the kingdom, England,

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England, Ireland, and Scotland, and I am secretary to the London branch.

5807. How many workmen are there in your association?—About 1,700 all over the kingdom.

5808. In the evidence which you have given, have you been speaking the sentiments of the large majority of those working men?—Yes.

5809. How have you ascertained their opinion?—By conversing with them, by meeting them from week to week, by going from place to place, and having an interchange of ideas with them.

5810. Not only in London but in different parts of the country?—Yes, in other parts of the country.

5811. You stated that there was more drinking on Sunday than on week days; how have you ascertained that?—What I wished to convey to the Committee was, that, considering the time for drinking on Sunday was fortunately limited, there was in the time more drinking than on other days, and that such drinking on Sunday led to Monday tipping.

5812. When you stated that the higher the wages the more drinking there was, I presume you spoke from your own observation?—Yes, I did.

5813. Are you not disposed to vary that opinion when I inform you that we have had directly contrary evidence before this Committee?—I only speak of facts which have come under my own observation.

5814. Can you inform the Committee what was done with the money which was paid for the footings of which you spoke?—It was spent in drink; I wish to inform the Committee that it was not only the mere fact of footings being paid that was so injurious, but every man round the furnace had to pay so much money in addition to the footings, and we have now got rid of all that source of intemperance.

5815. You stated that there was no opposition on the part of the men whom you represent to the measure before the Committee?—Not the slightest.

5816. But there were placards put in the publicans' windows in opposition to it?—Yes.

5817. Were those placards put in any other windows than the publicans'?—I never saw one in any other window than a publican's.

5818. Were they signed with any name?—No; there was always this put to them, that petitions could be signed inside against the Bill.

5819. Did those placards appear to be authorised by any body?—Yes; they were in the publicans' windows.

5820. But there was no direct authority for them from any body or association?—No; not that I am aware of.

5821. Do a large majority of the glass-blowers approve of this Bill?—Decidedly so.

5822. Would they be in favour of further restriction?—I believe they would.

5823. Do you think that they would be in favour of the entire closing of public-houses on Sunday?—I do believe so.

5824. Do you yourself go through any of the hard work which you have been speaking of which is carried on in such intense heat?—Yes; I have been unfortunately working all my life, ever since I was nine years of age.

5825. But you never yourself partook of any spirituous liquor?—Never.

5826. You informed the Committee that there were 11,000 public-houses in London, and that there were 3,000,000 *l.* spent in them in a year?—0.69...

Yes; 3,000,000 *l.* are spent in London every year.

5827. How have you ascertained that?—The Temperance League got up a paper that was read at the Social Science Congress, I believe in Newcastle, and there all the facts and all the details about the number of public-houses in the suburbs and in London, and they are set down at somewhere about 14,000, with an annual expenditure of 3,000,000 *l.*

5828. Mr. Knatchbull Hugessen.] What number of glass-blowers are there in London?—I should think between 200 and 300; about 250.

5829. And by your efforts and example you have obtained considerable influence with that body?—Yes, I have.

5830. But you do not think that your moral influence is sufficient without you have the Legislature to back you in persuading them to abstain from drink?—I do not think so. Moral influence has no chance against the influence of the public-house and beer-shop.

5831. Are you not afraid that the moral influence would be impaired by an addition to the restriction?—Not the slightest; it would be improved.

5832. You have told us that the publicans appealed by placard to the basest passions of the working classes, telling them that their liberty was in danger; do you think that an appeal to the love of liberty is an appeal to the basest passions of the working classes?—That depends upon the spirit in which the appeal is made. When a publican points out that there is a danger to the liberties of the people, and that the liberties of the people are endangered by certain measures, I think that it is an appeal to the very worst passions to excite them against this Bill.

5833. Is not every restriction, whether wisely or unwisely imposed, a diminution of the liberty of those whom it affects?—Certainly.

5834. Then it is not quite inaccurate to say that their liberty is endangered when restriction is about to be imposed?—That is if liberty means license; but you use the word liberty in its absolute unlimited sense.

5835. You take away from a man some freedom which he possessed; in this instance it is the freedom of going to certain places at certain times?—Yes; but you do it in the interest of the public good; and all law has that object in view.

5836. That is your opinion, but that may not be the opinion of those who are about to be deprived of it?—The object of the measure is such; and of the nature and extent of the evil there is no question.

5837. That may be; but would you impose restrictions upon many thousands who are capable of resisting temptation in order to save a minority who are incapable?—The evil is of such a gigantic character that I think the public good in that respect should be the supreme law.

5838. Supposing a man was in the habit of using violent and intemperate language at public meetings, would you put an end to public meetings in order to save him from the temptation?—No; but I cannot see by what reason you class intemperate language with the use of speech.

5839. May there not be moral poison inculcated which may be equally dangerous as physical poison?—You cannot very well do without public speech, and that has no connection with the moral poison of which you speak. Public speaking

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5840. Supposing a restriction were to be put upon public meetings, and that persons were to object to that restriction on the ground that the liberty of the subject was in danger, you would not, I think, say that they were at all appealing to the basest passions of the working class?—The law has already put a restriction upon everybody, both in public meetings and everywhere else. The law does not allow me to speak ill of my neighbour.

5841. The law does not allow you to use seditious language, neither does the law allow a man to get drunk and injure his neighbour, is not that so?—Yes, the law already interferes with freedom of speech.

5842. If a man exceeds the proper limit at a public meeting, and if he exceeds the proper limit at a public-house, he comes within the operation of the law?—Yes; but the law says what is proper and what is not; it does not leave it to my ignorance, or prejudice, or intelligence, so that already there is a restriction, that being a restriction in order not so much to punish me as to prevent me from vilifying my neighbour.

5843. The law says what is proper and what is improper at a public-house, so that if a man gets drunk and disorderly, or injures his neighbour, he is equally under the operation of the law?—Yes; but I wish the Committee to notice that no man has a right to get drunk and disorderly; the law has that to prevent, but public-houses antagonise the law, and produce the very evils the law intended to put down; the law puts its legal muzzle upon the sellers, and says who shall and who shall not sell. So that the principles of Mr. Smith's Bill is really embodied in the existing law.

5844. You are now going away from the point that I want to make; if you begin to establish this restriction with regard to this physical poison, are you not afraid that it may be extended so as to affect other things?—I wish the Committee to understand that I am quite aware of my logical stand-point. I at once admit that good law may be put to bad purposes. The Emperor of the French may put down the freedom of the press, but surely that is no reason why immoral prints should be tolerated in England. The nature and extent of the evils alone must decide the lawful remedy; and I believe this measure will be productive of great national good.

5845. Are you in favour of the Permissive Bill?—Decidedly I am.

5846. Do you think that the localities can settle for themselves with regard to all these cases either in London or elsewhere?—Yes, I think, they are the proper tribunal.

5847. That is a very tangible argument; if that is your opinion, how do you advocate a Bill by which the central Legislature imposes a restriction upon the opinion of localities?—Because it is simply a reflex of public opinion even then.

5848. Would you be satisfied with this measure, or would you take it as an instalment?—I shall not be satisfied with the reduction of any wrong; whenever a wrong is reduced, it never makes the remainder right.

5849. You consider a public-house a wrong?—I do, and so does the law.

5850. And you will not be satisfied until public-houses are shut up altogether?—Decidedly.

5851. Mr. Yorke.] With regard to glass-blowers you say that they get 3*l.* or 4*l.* a-week wages?—The best workmen do.

5852. Down to what is the lowest?—Down to 30*s.*; say from 30*s.* to 40*s.*; there are three gradations, the lowest perhaps is about 23*s.* or 24*s.* a-week.

5853. I presume that they are not men as a body who would be inconvenienced by not being able to get beer at the public-houses?—I believe that they would be satisfied to put up with the inconvenience, provided the temptation was removed.

5854. Men who have wages varying from 25*s.* to 3*l.* or 4*l.* a-week, would be in a position to have a stock of beer in their own houses?—Yes, they would.

5855. Do you think that the operation of this Act would have any material effect in diminishing the amount of drunkenness among those men?—I believe that the further you remove the temptation, the more you diminish the drinking.

5856. But if, as I understand you, it is in their power to have as much drink as they please at home, being in a position to buy beer in considerable quantities, is it not the case that they, at any rate, are not the class who would be subject to inconvenience by this Bill?—I do not properly understand your question.

5857. When you say that those men are in a position to have a stock of beer in their own houses, if there is any class that would be inconvenienced by this Bill, it is not those men whom you represent?—No; they would not be inconvenienced if they were inclined to follow the advice indicated with regard to having it at home, but I question whether they would do so. My point is, that if the facilities were removed, they would not indulge either at home or anywhere else.

5858. You think that if the facilities of which they are not obliged to avail themselves, namely, the public-houses, were removed, they would not drink at home?—I do believe that.

5859. There is another point of view in which I think restriction ought to be viewed; do you not consider that it is degrading to its objects, and that when you inflict a restriction on a man of this description, you are, to a certain extent, lowering him in his own estimation?—No; I do not at all think so, because the measure itself is a demand of the people.

5860. Are you not treating him more like an animal than as a reasonable, rational being, when you tell him that at certain hours he shall not go to a place which he has been in the habit of frequenting, without his doing any harm there?—That may be said against all law. I presume no man born in a civilised state has a right to absolutely unlimited liberty.

5861. Is he not entitled to liberty, so far as he does not use it either to hurt himself or other people?—Yes; but the public-house does injure other people; that is the point.

5862. That is your statement?—That is the state of the respectable publicans themselves, and of the judges of the land.

5863. Is that doctrine tenable from any other point of view than that of a total abstainer?—Yes, it is the true policy of the State.

5864. Do you mean to say that from any other point of view, except that of the total abstainer, moderate drinking is a harm in itself?—I cannot answer what the case of moderate drinking would be, whether it would do so, or not; but I know this, that the State has imposed restrictions upon the public house, and has done so upon the grounds of public morality; even the Government has not dared to make the trade free, and wherever

wherever it has been tried in any locality, as it has been in Liverpool, it has been a curse unmitigated.

5865. Do you not shrink from inflicting inconvenience on moderate drinkers, simply on account of those who may use their facilities for getting drink immoderately?—We say to moderate drinkers, "Get your drink if you can; but not at the expense of public morality, because you cannot, by any possibility, separate the public-house from the evils they cause."

5866. Is it not the fact that there is a very large class of men, lodgers and others, in London, who would be placed in great difficulty if this Bill were passed?—Yes, but the law surely is not to wait upon my convenience before it makes laws for the public good. I conceive that there never would be any law made, if that were the case.

5867. I understand you to say that any minority, however considerable, must give way if it can be proved that there is a large class of men for whose good a restriction ought to be imposed?—I believe that the Legislature ought to legislate according to the light they have, and if they conceive that it would be a great national blessing to place a restriction upon anything which causes vice, however the minority might suffer, it would be the duty of the Government to place that restriction.

5868. *Chairman.*] Is not the contrary proposition also true, that if they think it is for the public good that they should not impose restriction, they ought not to impose restriction?—I quite agree with that.

5869. *Mr. Yorke.*] Would not your doctrine so laid down extend much further than you appear to think; would not it go to putting down, for instance, racing, and sports of all kinds?—I do not see that the training a horse has anything to do with horse-racing, seeing that there are so many other and legitimate uses to which horses can be applied; I do not see any connection between training horses and horse-racing; the one is by no means a sequence of the other.

5870. Are there not a great many public amusements which are liable to abuse from various causes, if people choose to abuse them, and would not your doctrine extend to the prohibition of all such sports, if a reckless minority of persons are injured by them, if they are carried to excess?—I cannot answer all those questions. I am not disposed just now to trouble myself with regard to what may follow from other sources of evil. One fact is evident that this is a gigantic source of evil which every judge in the land admits, and the publicans themselves also.

5871. Have you in your mind all the consequences of the doctrine which you have laid down; take, for instance, a day like the Derby; all would be willing to conceive that a large amount of mischief may have resulted from that race yesterday to various persons who were inclined to abuse the amusement; but would you be in favour, on that account, of putting down a day of that description?—If the circumstances demanded it and the people required it, I should, very decidedly so.

5872. Would you not prefer, if you could, in this matter of Sunday drinking, to use some milder method before resorting to prohibition?—We have tried the milder method.

5873. Would you prefer prohibition to a milder method, if it appeared that some milder method would be likely to succeed?—You tried it in Liverpool for three years. I have the speech of

Mr. Coleridge, the Member of Parliament, at the Licensed Victuallers' dinner, in which he says, that, in consequence of the free trade in drink, poverty, death and crime has been quadrupled, quintupled; that is in Mr. Coleridge's speech delivered two days ago.

5874. What was the milder method which had been tried in Liverpool?—Free trade.

5875. I mean, for instance, if you were to try and induce people by other attractions on the Sunday to desert the public-houses, and amuse themselves in a more rational way?—This at once admits the evil of public-houses, an evil which counteracts the counteractive of which you speak.

5876. Would you not prefer to resort to some other method, such as attractions of various kinds to compete with the attractions of the public-house, such attractions for instance as the Crystal Palace, the Museums, or the Parks with music in them, and attractions of that description?—Highbury Barn is a place which no father would take his daughter to, and so are Cremorne Gardens; what is it which makes the difference between Cremorne and Kew, between Highbury Barn and Kensington Gardens; simply this, the one is infested with public-houses, the other is not. Surround Kew and Kensington with the same influences, and you will have the same results. I am in favour of everything moral, and humanising, and onward; but I do not believe that the public-houses are places anywhere productive of good, but always of evil.

5877. I understand that you would prefer that places of the description that you have mentioned should be open on Sunday to compete with the public-house?—When I was in Paris I saw a great deal that staggered my belief in that kind of tinkering, if I may say so without offence. I saw that they are perhaps the most pleasure-loving people on the face of the earth, and, I think, the most wicked. I do not think that you can dance people into morality, or fiddle them into virtue, or theatre them into goodness.

5878. But you think you can bring them by Act of Parliament to temperance?—I believe that where the Legislature sees that public opinion demands a beneficial measure for its own protection, it would be wise to grant it.

5879. *Mr. Evans.*] I think you have lived in London for some years?—Yes.

5880. Do you think that on the whole temperance has diminished or increased during late years?—I should require a great deal of information to answer that question; but here is one point, that there are thousands and tens of thousands of men who do not use these drinks at all, and yet when I look at the returns I find that 88,000,000 *l.* last year was expended on drink, and I am sure that every time I go out I see all those public-houses filled with inebriates; and if anybody will go into the great centres of population in London, he will find that it is most startling. If he walks down Regent-street, the Haymarket, or round about the New Cut and Seven Dials, he will see that it is all a reeking mass of abomination in consequence of drink.

5881. Do you consider that a larger or a smaller proportion of the population are in the habit of getting drunk now, than was the case, say, 10 years ago?—I think that drunkenness is quite as prevalent as it ever was; I do not think that it has diminished at all.

5882. *Mr. Locke.*] You state that 88,000,000 *l.* is expended in drink; where do you get that from?—From the Returns of the Revenue.

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5883. That 88,000,000 l. includes every species of drink, wine, spirits, beer, and everything, does it not?—Yes, everything inclusive.

5884. Is that for England, Wales, Scotland, and Ireland, altogether?—Yes, the United Kingdom.

5885. Have you dissected that so as to be able to say how much applies to wine and how much to other things?—No; I have only read Mr. Porter's "Progress of the Nation," and a speech delivered by Lord John Russell in 1854, in the House of Commons, in which he said that on the average every family in Great Britain expends 6 s. per week in drink.

5886. This 88,000,000 l. would include the consumption of wine, spirits, and everything else in every private house or public place throughout the three kingdoms?—Yes; I may say that if you could bring any possible influence to bear to raise the wages of the working class 6 s. per week, you would be about the greatest benefactor to a very large piece of the human race.

5887. Mr. Knatchbull-Hugessen.] I thought you said just now that in proportion as the wages are higher there is more drinking?—Yes; as far as my own observation went; I did not mean that in an unqualified sense.

5888. Mr. Locke.] Seeing that that 88,000,000 l. is mostly spent by a number of people who are not drunkards, but who do still think it necessary that they should have these things to drink, it is part of their food and support, is it not?—Yes; but it rather amuses me to hear gentlemen talk about the food which is contained in these intoxicating drinks.

5889. There are some persons that die from gluttony, are there not?—Yes.

5890. And there are other persons who think that it is absolutely necessary with their dinner to take some good wine and whose food would very much disagree with their stomachs if they did not do so, and probably many who, if they only drank water with their dinner would be very sick and uncomfortable, and you would debar those people from having their wine with their meals; you have laid great stress upon milk; but although milk may agree with you, other people may dislike it excessively; supposing a man were eating a tolerably good dinner and he were to drink a tumbler of milk, there are hundreds and thousands of men who would be sick; would you recommend that?—But my reply to that is this, that if I could not get my milk without those evils attending it, then my milk ought to be put under the same restriction as this drink.

5891. Do you mean that if milk made the majority of people sick, you ought not to have any more milk?—No, I mean to say that if that milk was productive of so much poverty and crime as these drinks are, I must get my milk as I like, but not at the expense of the public good.

5892. But supposing the majority of people are made sick by milk, ought you not to give way and never drink any more?—If the public good demands that milk should not be used, of course the case would be exactly the same. But Dr. Lancaster has entirely settled that matter at the Kensington Museum; he has analysed the materials in a quart of ale, and he says that there is only about half-an-ounce of solid matter in 40 ounces, while you can get water for nothing.

5893. Colonel Fane.] You have used the words "public opinion" very often; are you not aware that an Act was passed in 1854, which was called Mr. Wilson Patten's Act, in which there was less restriction than in this Bill?—Yes.

5894. And that public opinion cried out so that it was rescinded the next year by Parliament?—I am not aware that public opinion did it.

5895. Was not the Bill rescinded in consequence of a cry, I do not say where it came from, but it was an outcry, and the Bill was rescinded in the following year?—Yes, but there was a national outcry, that that opposition was got up by interested parties.

5896. If that was the public opinion, it is very much changed now; as you say, it is universally in favour of the present Bill?—I deny *in toto* that public opinion ever demanded the abolition of Mr. Wilson Patten's Act.

5897. It has been proved before us that there was a cry. I do not say by whom it was got up, but you do not think that Parliament was likely to attend to a mere public-house cry, although they rescinded that Act the following year?—I should be perfectly ashamed of the class of working men who mixed with this disgraceful mob for the purpose of putting down Mr. Wilson Patten's Act. That there was a mob I quite admit.

5898. The expression of public opinion was so strong that Parliament rescinded it the following year?—The expression of the opinion of that particular class was so strong, but not of the whole nation.

5899. Mr. Baines.] Do you remember the facts of the year 1854?—Yes.

5900. Do you remember whether there were any riots at all during the 10 or 11 months after the passing of Mr. Wilson Patten's Act?—There were not any riots for some months after the Bill had become law.

5901. You are aware, are you not, that Lord Robert Grosvenor, now Lord Ebury, introduced a Bill relative to Sunday trading, which it was apprehended would make Mr. Wilson Patten's Act much more stringent than it was before?—I am aware of that.

5902. And you are probably aware that the riots immediately followed the introduction of Lord Ebury's Bill, and not the passing of Mr. Wilson Patten's Act?—I am quite aware of that.

5903. Is that really the state of things with regard to that Act?—That is the state of things.

5904. Would it not, then, be a mistake to ascribe those riots to Mr. Wilson Patten's Act?—Decidedly so.

5905. The riots really sprung from Lord Ebury's Bill?—Decidedly so.

5906. Mr. Locke.] Mr. Wilson Patten's Act was repealed the next year, was it not?—Sir George Grey, the then Home Secretary, publicly declared, in his place in the House of Commons, that the Act was working beneficially, and was in harmony with public sentiment; and he further stated, that throughout the whole country there had not been any manifestation of opposition to the measure.

5907. But it was repealed the next year?—It was repealed the next year, in consequence of the fears which was aroused by interested parties who were in favour of Sunday trading, and who got up those riots in Hyde Park. Mr. Berkeley's Committee was sitting at the time, and presented its Report just as these riots had produced the desired effect. That report was presented to Parliament before one provincial witness had been examined, although many witnesses had tendered their services to be examined in favour of the Bill.

5908. Mr.

5908. Mr. *Baines*.] You do not think that the frame in which that Bill was passed was particularly creditable to Parliament?—I think it was disgraceful.

5909. You have in your hand a book containing what Mr. Abel Smith states to be a return made to the Austrian Government, of the quantity of intoxicating drinks of various kinds consumed annually in Great Britain and Ireland; will you state what is the amount put down for British spirits?—£. 20,811,115.

5910. What amount is put down for foreign and colonial spirits?—£. 8,415,271.

5911. What amount is put down for wines?—£. 10,794,314.

5912. What amount is put down for malt liquors?—£. 48,599,066.

5913. What is the total of all intoxicating drinks?—£. 88,619,876.

5914. Out of that 88,619,876 £. only 10,794,384 £. is for wines of all kinds?—That is so.

5915. And 77,825,452 £. is for spirits and beer?—Yes.

5916. Mr. *Locke*.] Does that include British wines?—There are no British wines in the Return; at least, they are not classified as such.

5917. What is that Return?—It is an account

made up by the Consul at Liverpool for the Austrian Government at their request last year.

5918. What does the population amount to by whom those things are consumed?—29,768,000.

5919. Mr. *Baines*.] Do you believe that the bread of the people costs as much as that?—I cannot answer that question, but I should say it was nothing near it.

5920. Mr. *John Abel Smith*.] Do you think that illicit drinking in unlicensed houses would be increased by the operation of such a Bill as that before the Committee?—I do not consider that it would be increased at all, but greatly diminished.

5921. Even if it were increased, the benefit of the restriction would be out of all proportion to the evil of the illicit drinking if it were not carried to any great extent?—That is my opinion.

5922. You are quite aware of what I mean by illicit drinking, and you know that there is drinking carried on in unlicensed houses at present?—Yes.

5923. But you do not believe that that would be beyond the control of the police if this Bill were to become law?—Decidedly not; I believe that the more you remove the temptation the more the habits of drinking will die out.

Mr. WILLIAM COCKBURN, called in; and Examined.

5924. Mr. *John Abel Smith*.] You are the Manager of Messrs. Pease's ironstone mines in Yorkshire?—Yes; and also of some limestone mines in Durham.

5925. How long have you been so employed?—Fourteen years.

5926. And previously what was your employment?—I was in the colliery districts of the counties of Northumberland and Durham in various capacities for 18 years.

5927. Then you are one of those persons who have had the pride and satisfaction of feeling that you have raised yourself by your own exertions from an inferior position?—I am very glad to say I am.

5928. What did you begin as?—I began when I was between 13 and 14 years of age, and I went down into the pit to be an overman's assistant, to lead timber.

5929. How many men and boys have you under your direction now?—I have fully 2,600 men, but there are about 10,000 people, including children, depending upon those 2,600 men.

5930. How many tons of ore do all those mines raise per month?—We turn out upwards of 100,000 tons per month.

5931. This position enables you to be entirely cognisant of the feelings, the wishes, and the habits of a very large mass of the labouring population?—Yes, it does.

5932. Have you ever taken any account of the per-centage of the men who are off work on Mondays, Tuesdays, and Wednesdays, from January 1865 to April 1868?—Yes, I have.

5933. Will you be so good as to tell the Committee what that number is?—In 1865, in the Upleatham Mine, where we pay once a fortnight, in the first week after the pay, I get 14 per cent. off work on Monday, Tuesday, and Wednesday, and in the three following days, Thursday, Friday, and Saturday, I get nine per cent. off. I might say that I average from the workings of the men on the three first days and the three last days of the week a difference of some 0.69.

thing like about 14 per cent. On the first three days of the following week, I get 13 per cent. off, while on the latter three I only get eight per cent. off, and I also find that at the Lofthouse Mines, taking them identically in the same position, as I have just now stated to the Committee; as to the other mines, I get 25 per cent. off on the first three days of the week, and 16 in the latter three; and on the following week I get 21 per cent. off on the first three days, and 15 per cent. on the other three days.

5934. *Chairman*.] How do you account for their being off; is it because they get tipsy, or is it because they like a holiday?—On the Monday, Tuesday, and Wednesday, it is from the effects of their drinking principally on the Sabbath-day.

5935. Mr. *John Abel Smith*.] Now, will you go on with 1867?—In 1867, taking them in this way at the Upleatham Mines, I found on the first three days 15 per cent. off, and 10 per cent. on the other three days, and the same thing in the remaining portion of the days of the week; and I find, on comparing the Monday with the Thursday, that I have 17 per cent. off at Upleatham on the Monday morning, and I have 9 per cent. off on the Thursday, while at Lofthouse I have 21 per cent. off on the Monday, against nine on the Thursday.

5936. To what do you attribute that great difference of attendance on those two days which you have named?—I can only attribute it to the men being in the habit of going to the public-house on the Sabbath-day. I live in a little country village, and I frequently have an opportunity of seeing it so on the Sabbath-day. I not unfrequently, from my own knowledge of the men, seeing the men that are off work, have found that they are the men that I have seen going there on the Sabbath-day.

5937. What sort of wages do those men get?—Their average net wages are 4 s. 5½ d. per day clear money, or 27 s. a-week.

5938. What is the condition of those men as

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to personal comfort in their houses and families? —As a rule, I think the working men by whom I am surrounded, are, on the whole, very comfortable indeed. There are exceptions, and they are more prevalent than I should like to see them, and those exceptions are arising from the men who neglect their work in the way they do. There are a great many evils attending that, inasmuch as miners leaving off work on Monday and Tuesday, and sometimes even on the Wednesday, when they come on the other three days, they exert themselves to the very utmost, so that they are reducing their physical strength very much; and more than that, they are in a great measure more careless on the other three days, and liable to a greater per-centage of accidents arising from that than they otherwise would be.

5939. Mr. Locke.] Do they work piece-work? —Yes.

5940. Mr. John Abel Smith.] Have you any account of the comparative number of accidents on the Monday and on the other days? —No, I have not worked that out, but I know that it is so. I could not actually state in figures at the present time what it is, but I know from the facts which I get from the hospital book the entries of those who are admitted on Mondays, Tuesdays, and Wednesdays, and on Thursdays, Fridays, and Saturdays. We keep a regular register.

5941. I suppose very considerable pains have been taken with the workmen under your control to improve their habits, and promote their education and self respect? —To a very great extent I am very glad to say that is so; my employers have supplied them with schools, with libraries, and with reading rooms; they have also supplied them with cricket clubs, and quoit clubs, and with a hospital, and, in case of accident in the mines, we keep them in the hospital the whole time that that accident incapacitates them from working, and we give his family 5 s. per week, independent of that.

5942. Under that treatment you probably have seen very great improvement in the habits, manners, and feelings of those men? —Undoubtedly; I consider that we have one of the best set of men; the 2,600 men that we have I consider to be the very cream of Yorkshire.

5943. Have you not seen during your experience a very considerable improvement in the manners, habits, and feelings, of the men? —Decidedly so.

5944. And do you attribute some portion of that to the restrictive laws at present in force on drinking? —Yes, I do.

5945. Do you consider that those restrictive laws have assisted the objects and the efforts of your employers? —I am quite satisfied that they have, and of the working men themselves, too.

5946. Do you believe that that restriction might be carried further with benefit? —Yes.

5947. What do you think would be the feelings of those working men, if restriction was carried further? —The major part of them would wish to see it carried further.

5948. Are any large proportion of those men in favour of total closing on the Sunday? —There are a few.

5949. Do those men attend any place of religious worship, generally? —Yes, they do, a very great number of them. At Old Mask we have 172 scholars in the Zetland school, and 40 in the infant school. In a private school that there is at Mask there are 54 scholars and 31 infants, and

at New Mask, which is entirely under our own control, there are 105 children attending the schools, that is the day schools; and on the Sunday there are 155 attendants in the Church schools; 111 in the Wesleyans, 100 in the Primitive Methodists, and 136 in the New Mask school. We have four places of worship; New Mask has not a church; there is only a room, and various parties who wish to go there and worship may do so; it is open to the whole of them; it is unsectarian.

5950. To go back for a moment to the question of the number losing work on certain days in the week, have you made any table or turned your attention to the actual amount of loss per week per man? —Yes, I have.

5951. What do you make it to be? —I find, on looking over it, and making calculations, that if every man were working with the exception of about one-sixth who were off work from natural causes over which they have no control, the proportion of days in the week would be 5·92 which is nearly equal to six days per week, while on the other hand, taking off the per-centage for sick men, I find that the proper per-centage works out only 5·14 which is equal to ·78, or say three-fourths of a day each man per week.

5952. Which you attribute to drinking on the Sunday? —Yes; I would not say that I attribute it all to drinking; I qualify that by saying that there was a certain portion off work from other circumstances which had no connection with drinking.

5953. Then that entails a proportionate loss on the owners of property, as well as on the men themselves, does it not? —It entails very serious loss upon the owners of property themselves, and not only upon them, but upon all the various works which are depending upon their works, as they are the producers of the raw material, and there is the same staff to keep for the Monday, Tuesday, and Wednesday, of clerks and officers, and men about the place, as there is on the Thursday, Friday, and Saturday; and that gives something like three-halfpence more per ton in the working cost for the first three days. Then the railway company has to keep the same number of engines to carry out the stuff, and they have to go out very frequently with a certain quantity of stuff. Their proper loads are 250 tons, but they have to go out very often with little more than one-half of that, and thereby they are increasing the cost to the railway company very materially; but the greatest of all costs is this, that the furnaces which are kept at work during the Sunday want a greater supply of stone on the Monday, and the men being off work to the extent of the per-centage which I have stated, the furnaces cannot really get their proper supply, and therefore they are not infrequently caused to lay off some of their men, and also to reduce the blast in the furnaces, which is very detrimental to them indeed; one can scarcely realise or calculate the extent of loss that it is to them.

5954. Therefore, in the district of which you speak, the consequences of Sunday drinking are very extensive in its injurious effects both on the men and on the masters? —I consider it so.

5955. Have you read or looked at the Bill which has been referred to this Committee? —Yes, I have; I have it before me.

5956. Do you, on the whole, approve of the provisions of that Bill? —I do; I think it would be an improvement.

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5957. Do you believe that the inconveniences which it would occasion to some persons are to be put against the great public advantage to the community?—No; I do not think that those ought to stand in the way of it.

5958. Do you believe that many men would be inconvenienced by being prevented from working on the premises on Sunday?—As far as my own knowledge is concerned, from the fact that I have under me, I do not think there is a great proportion that would be inconvenienced.

5959. Do you believe that public opinion in that district, on the whole, would be in favour of such a Bill as this?—I have heard the men and a good few of the inhabitants round about express their approval of the Bill.

5960. And you have no idea that if such a Bill became law it would be received with riotous public disturbance or resistance by the working men?—No, certainly not; I think that the majority of the working men will hail it as a boon.

5961. Why do you think so?—Because I have heard it from the men. Not 100 yards from my front door, when I was coming home one night, I met a man what we would technically term half-seas-over, and he says, "Shall I have work, Mr. Cockburn, to-morrow?" I said, "I think it is a pity that you have stayed away from it to-day," and he said, "I would not have stayed away if the public-house had been closed on Sunday." I said, "Why did you go into it at all?" He said, "I was thirsty, and I went in, and I could not help myself; I could not get away, and if I had not had the opportunity of going in, I could have been at my work;" and I believe the man was speaking the truth, because when he does do a thing of that description it invariably leads to that end with him.

5962. Have there been any memorials from anybody that you know of to the magistrates against further licensing?—Yes, I saw myself a memorial presented to the magistrates at Gainsborough at the Brewster sessions, signed by between 300 and 400 of our men against licensing another public-house in Mask.

5963. Did you use your influence with them to make them sign it?—I did not; I never mentioned it to them beyond reproving them when they are off their labour.

5964. I understand you to be strongly in favour of such legislation as is proposed in the Bill before the Committee?—Quite so.

5965. And further than that, you think that the improved and improving habits of the working men in your district would be further advanced by legislation in that direction?—I think so, and I think it is the opinion of the majority of the working men themselves by whom I am surrounded.

5966. Colonel *Fane*.] Are there any lodgers amongst the number of men that you speak of?—Yes.

5967. How would they get provisions and a glass of beer on Sunday if every public-house was closed?—They could take it home by this Bill.

5968. Supposing they lived a considerable distance off, it is very difficult to carry beer about in that way, as it destroys to a great extent its pleasantness; therefore, would not it entail a great inconvenience upon them to have to carry it home?—I do not think that the men, as a whole, as a general rule, would feel that an inconvenience.

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5969. We have also had it in evidence here that there are certain classes of people in London who, without being in the least drunken, choose to have a holiday on Monday, particularly tailors to a great extent, and many other classes who do no work on Monday; does that apply at all in the iron districts in the same way?—I think it does not.

5970. You think that there is no such thing as taking holidays on Monday without some reason, before which this might arise?—No, not with us.

5971. *Chairman*.] You never heard of St. Monday, did you?—I have heard tell of it when I was in the counties of Durham and Northumberland; but I have been now nearly 14 years in Yorkshire; and I was six years in Durham before, and I never knew of that being put into operation once during that time.

5972. *Mr. John Abel Smith*.] Have you excursion trains, flower shows, and various things of that kind, which the masters lend themselves to?—Yes, we have; but inasmuch as we live in one of the prettiest districts in the country, excursion trains are really not appreciated. They are not patronised by the working classes as they are in towns where men are shut up, because we live in the open country, and have a most magnificent view all round us. If you give them a good cricket club and good reading rooms, and a quoit ground, I think that they are content with the scenery round about their own neighbourhood, and do not wish to go off on excursions.

5973. *Mr. Locke*.] Have they any special amusements on Sunday?—None at all.

5974. How do they employ themselves on Sunday?—A very great proportion of them go to churches and chapels, and the other percentage that I have been speaking about, the one-sixth off employment mostly when they can get into a public-house go there, and spend their money there.

5975. They do not go out for a walk, or anything of that sort?—Sometimes they do; of course, they do not stay in the house.

5976. If there were any recreation for them on the Sunday, do not you think that those persons who now go to public-houses would be induced to forsake them?—I do not know whether they would appreciate public amusements on Sunday in the district that I am living in; I have no reason to think so.

5977. Supposing there were a band of music for them to listen to, what would you say?—I think their ideas of morality are such, that they would be shocked at the idea of it in the district where I live.

5978. It appears that a certain portion of them go to church and chapel, and the rest go to the public house?—Yes.

5979. What do you think that the residuum would do supposing the public-houses were shut on Sunday?—I think that if the public-houses were shut they would either go abroad and enjoy the beauties of creation, or else they would go to a place of worship; that is my idea.

5980. You think that the public-houses being open prevents their going abroad?—Yes.

5981. And likewise prevents their going to a place of worship?—Yes, quite so; a man cannot serve two masters at once.

5982. *Chairman*.] I take it that the population round you, generally speaking, are a moral and kindly population, are they not, at the present time?—Generally they are.

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5983. Would you say, speaking of them as a class, that they were a drunken population?—No, I would not.

5984. You would say that they were a sober population?—As a class they are; the men that I am speaking about, as a class are a sober class of men.

5985. I take it that generally speaking you would say this, that they were a good kind-hearted moral population?—There is no doubt about that.

5986. And that under the present law?—Yes, and that under the present law.

5987. Have you seen in your time any great improvement in the manners and habits and feelings of that class with which you are connected?—Yes, I should say I have.

5988. At the present time have not your generous employers, now and then, the means of improving their minds and their habits?—Yes.

5989. And you are very well gratified by the improvement you have seen?—Yes, I am satisfied with it as far as it has gone.

5990. From your observation I gather that the population round about you are what is termed a strictly religious population?—No, I would not say a strictly religious population.

5991. You talked about their feeling it to be contrary to morality to have music on Sunday in the open air?—It is quite so; they have two bands in the village, or a very short distance off, and it is the last thing that they would think about to have those bands out playing on the Sabbath-day.

5992. That comes round to what I said, that they are a rather strict population as regards religious habits and manners?—I do not know that we must apply that directly to religion; we must apply it to morals more than to religion.

5993. You think that, that it is a correct statement, that they are a highly moral population?—Yes, I do.

5994. And that under the present law?—Yes.

5995. You attribute, I suppose, I do not say all the effects, but a great many of the effects, to the restrictions in the present law?—I do.

5996. Has it ever entered into your mind that restriction has a limit?—Yes; decidedly so.

5997. And that beyond that limit there is danger?—Yes.

5998. What makes you believe that we have not reached that limit now?—From my own experience; seeing men coming out of those public houses, I think if the limit was closely applied to them, and the liquor removed from them altogether on the Sabbath-day, they would appreciate it.

5999. Would you go for the entire closing of public-houses on the Sunday?—Yes, I would, certainly.

6000. Taking the wages of your men, could not they get all they want to drink on the Saturday?—Yes, quite so.

6001. They have a good deal of leisure, have they not, in spite of churches and chapels, on Sunday?—They are pretty regular in church and chapel going, I am quite certain, but they may have leisure as well.

6002. A great number of persons have told us that there is great mischief in leisure; people do not know exactly how to employ their time, and, when facilities come, they drink?—It is an old adage that a certain person finds work for idle hands to do.

6003. And there is another one, that the mother

of mischief is no larger than a midge's wing?—Yes.

6004. But that being the case, do not you think that a confirmed drunkard, a fellow who was determined to get drunk, would order in on Saturday night quite enough to occupy him on Sunday?—I quite believe so; but it is my own opinion, which I am here to express, that the selling out system is doing as much harm to our working population as is done by their going and drinking at the public-house; I mean that we have a shop beside us in the village where they sell out spirituous liquor, and the people take it away, and there is no doubt that a large proportion of the drunkenness arises from that cause as well as from drinking in the public-house.

6005. Increased restriction on the Sunday would no doubt induce those persons to get more on the Saturday preparatory to the Sunday; do not you think that the limit of restriction is already arrived at, and that it would be dangerous to put on further restriction, even in that point of view?—I do not think so; it is my candid opinion that restriction has not arrived at the proper pitch yet that it should do.

6006. Restriction, you think, has not yet arrived at the dangerous point?—No.

6007. Under the present restriction, you tell me that great mischief is done by the sending-out system?—Yes.

6008. If you increase the restriction, do not you think that still greater mischief would arise from the sending-out system?—Not if it was applied to that system of sending-out as a system alone.

6009. But why?—Because, if it was applied to that, you could not get it; but then this is only dealing with a Sunday Closing Bill; it is not dealing with a prohibitory measure altogether.

6010. Supposing that A. B. is a man who likes drink, and will have it, and the law says you shall not drink in a public-house on Sunday, he has plenty of wages, with a certain sum of money in his hand on Saturday, and he says, "I will look out in time; I will get a pint of gin in my own house to drink on Sunday;" he sends for it to the public-house, and he brings it home, and when it is in his own house, being nearer to him, the facilities are increased by that means?—To a certain extent it is so; but there are not many men amongst the working class that I am now amongst, who stick entirely to spirituous liquors; they drink more beer, I think.

6011. Do you not think that beer would be injured by being brought home?—I think that a man could buy on Saturday night as much as would suffice till Monday morning.

6012. Could not he send for it in a larger quantity?—He would only send for a moderate quantity.

6013. Why should he only send for a moderate quantity, when, by the supposition (and of course we are dealing with the supposition) the man likes drink; why should he not send for quite a sufficient quantity to make him tipsy?—Simply for this reason; if he was sending for a sufficient quantity to make him tipsy, in my experience of working men, there are not many men who go and sit down and get tipsy alone; they like to have some company with them, and if they were to go and sit and drink in their own homes, the owners or proprietors of the mines or the iron-works have the control over those cottages, and they would be called to account about it, and therefore

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Therefore there would be a restriction put upon them in that shape.

6014. Supposing John Brown, which is a very common name, has a very great friend John Smith, and those two want to tiddle together. John Brown says to John Smith, you know by a new law they have shut up the public-house next door, and we shall not be able to get there to-morrow; will you club with me, and we will have plenty of drink, and you will come and drink with me, and I will drink with you next Sunday?—Yes; but suppose John Brown were employed by James Evans, and James Evans knew that John Brown had a love of drink, and that at once, he would say, I will take care that you do not stop there and have drink in my house next Sunday.

6015. Those men are there; they are doing nothing against the public. John Brown and John Smith drink together, and get fuddled together; has Mr. Evans any right to ask whether a man has got fuddled in his house, or not?—If he can get two men who will do their work equally as well as those two men who are getting drunk in that way, he is justified in removing those two men, and not keeping them any longer in his place.

6016. But if there was a pressure of business, do you think that Mr. Evans would go to such a length as that?—Yes, I believe there are some cases in the North Riding that would go to that length.

6017. What sort of proportion do they bear to the whole?—I cannot speak to that, but I know it is almost an invariable rule in the North Riding of Yorkshire, to allow no drinking, whether upon the works, nor yet in their houses.

6018. You give a very different description of your workmen from what we have just now received of the glass-blowers?—I am giving a truthful description.

6019. I have no doubt of it; do not for an instant suppose that I disbelieve your statement, I have very great faith in it; but tell me, is the population about you at all given to, I will not call it religious controversy, but discussion? No.

6020. Then they would not employ a portion of their spare time on Sunday afternoons in discussion?—No; I do not think they would; I can only say this, that during the 14 years that I have been in Cleveland, and have had the number of men that I have had under me, we have never had one misunderstanding, or only one, and that was after I went down, about two or three weeks, when I saw some things that I thought wrong, and I tried to put them right; from that day to this we have never had an unpleasant word, or any discussion, or anything at all in the place.

6021. When I use the word discussion, do not suppose I mean quarrelling, because I discuss a great number of things with people, and we are very good friends. I only want to know the bits of the people?—They do not in the reading rooms; they have lectures connected with their institutions, at which various working men take part; and they may put a subject down for discussion, but it is merely as a mental recreation at they do so.

6022. I want to know how a working man who has worked hard for six days passes his Sunday; a portion of his time is spent in his devotions at church or chapel, but in spite of all that there must be many hours of leisure; do you do any-
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thing to give him recreation on Sunday?—No, we do not; nothing beyond his going to church or chapel.

6023. You think it a mischief, and no doubt it is a mischief for him to go to a public house, but did you ever consider or consult with your employers that there might be other things done to win him from the public-house, rather than to come down upon him with stringent regulations?—I could not do so, because it would be against my own conviction to do so; and, therefore, I could not recommend my employers to do so. I think that they can spend their time in their devotional exercises, as you term them, and if they wish to improve their mental capacities, they have libraries and books. After one has worked a hard day's work I find a great deal of recreation from my mental exercise and reading, and I think that they may do so also on the Sabbath-day, as well as I have done it.

6024. Supposing a man has a family of little children; he has gone to his church with them all dressed neatly and clean, and he has dined, and has got an hour or two hours upon his hands, do you think it would be any harm to him that he should walk in a pleasant park, or amongst beautiful gardens?—Certainly not; not a bit of harm.

6025. Has anything of that sort been attempted to win men from the public-house in your neighbourhood?—We have not a public park; the population of the place is not sufficiently large to get a public park, but we have some of the most beautiful walks that England can produce; and they are free to everybody round the works; we have a sea view and a land view, which I might say are almost unparalleled in the North Riding of Yorkshire.

6026. Giving them every possible recreation of that sort, do you think that the public-house has such a wonderful charm that you must come in with a stringent and ghastly Act of Parliament for their government?—The percentage that I have stated shows that it has, and therefore I think that it is necessary to step in, because I think when the majority of the population are enjoying themselves in that way, if you could persuade the other persons to do so in the same rational way in which they are doing it, I think it is only right to legislate for them.

6027. You would coerce them?—No, I would not coerce them. I only want to get them by entirely persuasive means, and to remove temptation out of their way.

6028. You see that we are making laws not simply for happy Cleveland, but general laws. It may be a mischief to a man who lives in the midst of this world of brick and mortar to be shut out from the pleasures of nature, and he goes on Sunday by train, which I dare say you would not like, but still he does go by train into the country, and he comes back late at night, and he is a lodger. In spite of all that we may say, he may be a very sober and very good man; but he may be thirsty, and he may want a pint of beer; why should you, for the purpose of preventing some fellow who is a thorough-grained tippler, prevent that honest man from getting a pint of beer?—You have afforded him an opportunity of getting his pint of beer by taking it home on the Saturday night, or, if he is a lodger, he could take it home on the Sunday night, because you are going to leave the public-houses so long open on Sunday.

6029. How does he know that he may not be thirsty,
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thirsty, and that he does not want to spend his sixpence, and get a pot of beer?—If the public-house is open from eight until ten; of course I cannot speak as to what the habits of a town population may be, but I think a man would then have an opportunity of getting his glass of beer as the Bill provides between eight and ten. You also give him an opportunity during the forenoon to get a glass of beer, but if he begins to get over many glasses of beer, the effect will be that he will go and sit down, and stay the whole time there.

6030. You seem to think that the Legislature ought to step in as a sort of good nurse, to take care of those poor men who cannot take care of themselves?—If a man cannot take care of himself, I think it is charity for some one to take care of him.

6031. Is it your opinion that a large body or any portion of the working men of England are so incapable of taking care of themselves, that you ought to have this sort of restriction?—I have not exercised my mind upon that question to any greater extent than where I am immediately connected with; I think if I stick to my own business and look after my own men I do very well.

6032. What I want to know is, putting you in the place of the Legislature, whether you would think that one ought to use those stringent laws to govern the comparatively few drunken people in a way that may be inconvenient to a large body of others standing by, who are perfectly sober?—I hardly understand how to answer your question; I do not know that I exactly understand the way you put it.

6033. Do you think it wise in the Legislature to use restrictive legislation in order to coerce a comparatively small body of the population, and thereby create an inconvenience to other large bodies standing by who do not want that species of coercion?—I think that depends upon circumstances, and that they would be justified in so doing, if there was a great majority of the population who wished it to be so.

6034. The question is, whether the great majority wish it; but supposing the majority does not, what then?—But the majority does, in the case that I am speaking about to-day.

6035. That is just the question; I have no doubt that the persons you represent might be of that view, but we shall have thousands who are of quite the other view, and when there was this conflict, I am a legislator standing by with no earthly interest in the matter, and I want to know what I ought to do; I find large bodies on one side and large bodies on the other, and in this exceptional state of things, do you think it wise to make such sumptuary laws as this?—I would make such laws as this Bill proposes to make; that far I would go, because I do not believe it would be a very great inconvenience to any class of people; that is my opinion.

6036. Mr. *Horsfall*.] The Chairman put a case to you of John Smith and John Brown sending for liquor at home, and going and drinking together; you admit that such cases might exist, but I presume you consider that they would be very exceptional cases?—In the case of our own locality, they would be very exceptional cases.

6037. And I apprehend you would consider that there was this difference between drinking at home and drinking in a public-house; that whilst in the former case a man would send for what he thought was necessary, when he got

to the public-house he would go on drinking without knowing what quantity he was drinking?—Nine times out of 10, or almost 99 times out of 100, it is so.

6038. The Honorable Member for Southwark put a question to you which I do not think you exactly understood; it was that a certain section of the people went to chapel or church on Sunday and the rest went to a public-house; I presume you did not mean to say that they would all do that?—I only meant to say that a portion of the number when I was speaking of the percentage went to the public-house, not the rest.

6039. Others might occupy themselves by a walk into the country or might engage in other duties?—Yes, decidedly so.

6040. You were asked whether you consider that your men are a sober body under the present law, and you answered in the affirmative; but I presume that that does not militate against their being more sober under an amended law?—I only meant that I considered the whole number might be brought in if there was a more stringent law than there is upon that point.

6041. You are very decidedly of opinion that such an amended law is necessary?—I think so.

6042. And would be a great benefit?—I think so; that is my candid opinion upon that question.

6043. Mr. *Knatchbull-Hugessen*.] With regard to John Smith and John Brown you introduced a third party upon the scene, Mr. John Evans, and you said that he would have stopped the private drinking altogether, and that the men should not drink in his house?—Yes.

6044. What prevents Evans at the present moment from stopping drinking by saying if you come to my works on Monday not sober and fit for work you shall not work for me any longer?—Because John Smith and John Brown very frequently live in their own houses, and Evans has nothing to do with them there.

6045. But it does not signify where they live if they work for Evans; why should not the coercion of the master, supposing it be right, be equally exercised at that particular point where it can be exercised, namely, by forbidding a man to work at his place?—But I think that the restriction ought to come from the Legislature and not from private individuals; I do not think that an employer of labour ought to be placed in that position, especially if there is a majority of the population in favour of restriction: if it were not so it would be a different matter.

6046. Will you draw your distinction clearly if the coercion of the master would be wise and salutary if the law were altered, why should it not be wise and salutary now, it being equally efficacious; you tell me that if this law were altered private drinking would be stopped by the interference of the master?—Yes, if they live on his property.

6047. Private or public drinking can be equally stopped; can it not now, if the master interfere and says, you shall not work for me if you continue to drink?—He is not justified in going that far. I think a master is justified if he provides a house for his men, in taking his tenant to task so far when he sees him violating a law of that description, but you cannot interfere with a man who is living in his own house, at least not justifiably, because it would then be considered tyranny upon the man.

6048. Do you think that a master would justify

stified in interfering with a man who was drunk, the master happened to be the owner of the property, because the drunkenness took place on his own premises, but that he would not be justified in interfering with a man because his drunkenness offended against public morality?—Morally he would be justified, but I do not know whether he would be so politically.

6049. If this man that you spoke of who was thirsty wanted to go into a public-house found the public-house was closed against him, he would have to bear his thirst and remain unsatisfied, would he not?—Yes, and he would be a great deal better man if he had done so, for he confessed so himself.

6050. Are there not many persons who go in who do not yield to the temptation which this has yielded to?—Certainly there are; still I think the facility is sufficiently large to allow them to get it, under the Bill that is now before the Committee.

6051. You do not define all the men who go to a public-house into exactly distinct classes do you; there may be some who go to a place of worship, and afterwards to the public-house?—I do not define them into classes.

6052. They possibly may go afterwards to a public-house?—Quite so; I do not mean to say that a man who goes to a public-house never goes to a place of worship.

6053. Nor that the people who go to a place of worship never go to a public-house?—No.

6054. What was this memorial to the magistrates of which you spoke?—It was a memorial from the inhabitants to the magistrates not to grant another license for a public-house in the village of Mask.

6055. How many of your men signed it?—Between 300 and 400.

6056. It was not anything with regard to the general question of drinking?—No, but it showed that the men abhorred the system being extended.

6057. Your men being the cream of Yorkshire, there is not much drunkenness amongst them?—There is not much drunkenness amongst them.

6058. Then they do not want this legislation or themselves so much, but their desire for it arises from kindly feelings towards others who are less favourably situated?—Generally so.

6059. Mr. Yorke.] You gave us some statistics about the per-centage of people who are off work on the first three days of the week at the Upleatham mines, and at the Lofthouse mines; at Upleatham there were 14 per cent. off the first three days of the week, and in the other mine 27 per cent.; to what do you attribute the difference?—Because we have a great number of houses of our own at Mask and Upleatham, and we have not at Lofthouse, and therefore we have the control of the former to a greater extent than at the other place.

6060. Has that any bearing upon the question of the comparative drunkenness of the two places?—Yes, it has; there is a great deal more drunkenness at the one place than there is at the other.

6061. That difference is owing to the control which you exercise at one place, and which you do not exercise at the other?—I exercise control at both, but I have not the same control at the one place as at the other.

6062. Are any of those schools, libraries, and reading rooms open on Sunday at either of those places?—Yes; the reading room and the library are opened for places of worship of a non-sectarian character, the Primitive Methodists, and the Wesleyans, and so on, all used them as places of public worship on Sunday.

6063. You said that you thought that they were too moral in your neighbourhood to be willing to have bands of music playing anywhere in the neighbourhood on Sunday: do they have bands on the week days?—Yes; they frequently have them on a week day, but they would never think of having them out on Sunday.

6064. But would those same people who would shrink from having a band of music playing out of doors on the Sunday also shrink from going into a public-house to drink on Sunday?—The great majority of them do.

6065. There are a considerable number, I presume, who although they shrink from having a band of music playing in the open air on Sunday do not shrink from going into public-houses occasionally, and getting drunk there?—It is the exception with us, and not the rule.

6066. Is it, in their opinion, comparatively worse to have a band of music playing on Sunday than going into public-houses?—I do not know what their opinion may be; I know what my own is.

6067. I want to know their opinion, as shown by their acts?—As shown by their acts the majority say that they will do neither; they will neither go into the public-house on Sunday, nor have a band of music, so that I may say their conduct proves it to be so.

6068. There is a large number, who, although they would shrink from having a band of music, would not shrink from going into a public-house?—I do not know what their views are upon that point; they do, as a fact, go into the public-house on Sunday to the extent which I have given in the statistics.

6069. You say that public opinion among your men is so conclusive against bands that they would not suffer them?—Yes.

6070. I may consider that it is not so conclusive against going to public-houses from time to time as you think it should be?—I do not know what their opinion may be; I have only spoken as to facts, which I am in a position to speak to.

6071. You said you thought that they were too moral to approve of bands of music; would you accept this as a definition of a moral man, a man who having the choice between good and evil, deliberately adopts the good from a sense of responsibility?—That depends upon what in his opinion is the good. When you place good and evil before him, a man is responsible for his own actions, and if he adopts evil he is clearly in a wrong position.

6072. Is not the distinction between a child and an adult that the child is led to choose the good by coercion, whereas an adult man does it from his own knowledge and sense of responsibility?—I think in nine cases out of ten the child follows the example which is set before him, and is not influenced by coercion.

6073. Is not that the general distinction that the child in the first instance is led to a sense of responsibility by coercion?—No, I cannot admit that; I admit that he is led to good results by good example, but I do not admit that he is led to good results by coercion.

6074. Coercion is a command enforced by punishment, is it not?—Yes, decidedly.

6075. Is not the application of coercion to persons who are grown up to an age to have a sense

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of responsibility degrading to them, and placing them on a level with inferior beings?—It is far more degrading to them when they are doing their wives and families a very great act of injustice by going into a public-house and spending their money; they are not only doing an act of injustice to themselves, but their wives and families are suffering considerably. And then we shall find very frequently that instead of coercion, the child is following the bad example that is set before him, and therefore if there was that salutary prohibition upon these things, it would extend to children as well as to adults at the present time.

6076. But if those persons have such a sensitive morality as to object to bands of music and things of that kind in the open air on Sunday, is it not fair to suppose that they would recoil from such violations of their duty in the way of getting drunk on Sunday?—I have already stated that there was a certain per-centage who did not recoil from that.

6077. Then you wish to legislate to prevent the much larger proportion of your men, who do not misuse their liberty, from using it moderately in favour of this very small minority, as you describe it who get drunk?—I put it the other way; when the Honourable Gentleman next to you put nearly the same question to me, and I put it exactly the contrary way, that I think it is necessary to legislate for it if the majority wish to have it so.

6078. You mean the local majority?—Of course I am speaking of the locality.

6079. Then do I understand you to be in favour of the Permissive Bill?—No, I am not in favour of the Permissive Bill.

6080. How do you reconcile that with your statement, that where there is a local majority you would be in favour of legislating according to their views; the Permissive Bill is that the local majority shall be able to determine whether a certain law should be locally applied?—I think

that has but little to do with the evidence which I have given to day; I am not prepared to give evidence upon the Permissive Bill.

6081. That is not, I think, beyond the question, because we are sitting on this Bill not necessarily with a view to its entire rejection, but possibly with a view to adopting it in a modified form; therefore I want to know how you reconcile your statement that you are not in favour of the Permissive Bill with your previous statement, that you are in favour of legislation in accordance with the wishes of the local majority?—Because the Permissive Bill would go all through the country, I suppose, where the majority carried it through.

6082. I understand you to say that where a local majority is in favour of legislation you think it should be adopted?—But I am not prepared to say that the local majority would be in favour of the Permissive Bill.

6083. The Permissive Bill gives power to the local majority, in all places to make such and such legislation in the matter of the sale of liquor as to them shall seem fit, and supposing the Permissive Bill to pass the House of Commons it would not necessarily lead to total closing in all cases, the local majority might determine to carry out the recommendations of Mr. Abel Smith's Bill in any place; and I suppose, having given you that explanation of the effect of the Permissive Bill, you would say that you are in favour of it?—No, I am not in favour of it.

6084. And yet you are in favour of the local majority legislating for the closing of public-houses on Sunday?—Yes.

6085. Mr. John Abel Smith.] Do you not consider the feeling in favour of further restriction amongst the working men that you have alluded to, is a very respectable feeling founded on very respectable motives, and one to which the Legislature ought to pay attention?—I quite think so.

The Rev. EDWARD MATHEWS, called in; and Examined.

Rev. E.
Mathews.

6086. Mr. John Abel Smith.] You are a Baptist Minister at Bristol, are you not?—I am a Baptist minister at present residing at Bristol; I should state that I am an Agent of the Central Association for stopping the Sale of Intoxicating Liquors on Sunday.

6087. You have paid great attention, have you not, to the effects of Sunday drinking, and to the feeling of the people in reference to that subject?—I have.

6088. What do you think of the effects of Sunday drinking?—I think that the effects are most injurious to the morals of the people everywhere, and that they produce disturbance in the family, and poverty, and misery, and crime; I think that the effects are most sad.

6089. Do you think that there is more drinking on Sunday than on the other days in the week?—I think there is.

6090. Have you brought any statistics with you as regards drinking in Bristol on Sundays?—I have not.

6091. What do you think is the general feeling of working-men with reference to further restriction?—I have held a large number of meetings, and at those meetings there has been a good opportunity for the working men to express their sentiments, and I have found, testing

them by public meetings, by canvasses from house-to-house, and by petitions to Parliament, that they have been, by an overwhelming majority, in favour of the Sunday closing of public-houses.

6092. Are you alluding now to total closing or to partial closing?—The meetings that I have attended have been meetings which, as a rule, have been called by the chief magistrate in compliance with the requisition of the inhabitants, and petitions have been presented to the meeting for adoption, praying for the entire closing of public-houses on Sunday. Those meetings were of course open to discussion, and I have heard a great many discussions, but I have never observed at those meetings, where there has been a discussion, that those who have been opposed to Sunday closing have had more than a handful on their side, and very often the entire vote, after a full discussion, has been for the closing of public-houses entirely on the Sunday.

6093. Are you aware that the Bill which is referred to this Committee does not go that length?—I am aware of that.

6094. I presume you would only take this Bill as an instalment?—So far as I am concerned I should desire to see the public houses closed the entire Sunday, and I believe that the generality of working men would only take it as an instalment,

ment, and would desire to see them closed the entire Sunday.

6095. There has been a canvass at Bristol, has there not?—Yes, there has.

6096. Can you tell us what the result of that canvass has been?—There are three tables of the result of the canvass with regard to the Sunday closing of public-houses. I would observe that the inquiry was put on the canvass paper which was left at every house, "Are you in favour of closing the public-houses the whole of Sunday?" This may not have been the exact expression, but it was the sentiment. There were three columns in which they were asked to sign Yes or No, or Neutral, so that there was a fair opportunity for every householder to give his opinion, and the results were: "Yeas, 8,829; Nays, 1822; and Neutral and not voted, 3,134;" so that the total returns were 13,785.

6097. Mr. *Knatchbull-Hugessen*.] Was that for the whole of Bristol?—Yes, for the whole city.

6098. Mr. *Horsfall*.] There is a larger number of householders in Bristol than that, is there not?—The number of householders is 29,360. Then I have these tables in wards if the Committee would like to hear the wards read over.

6099. Mr. *John Abel Smith*.] Where were the houses that were left out, because you have only accounted for something over 13,000 householders?—I would like to reply to that question presently if I may be allowed to read the particular classes who voted. The tabulation of classes gives this result: Working class, 5,912 yeas, 1,226 nays, and 1,551 neutral; shopkeepers, 1,033 yeas, 200 nays, and 467 neutral; professions and independent persons, 1816 yeas, 321 nays, and 1,087 neutral; publicans, beer retailers, and wine merchants, 68 yeas, 75 nays, and 29 neutral.

6100. Mr. *Knatchbull-Hugessen*.] How many publicans are there altogether in Bristol?—The licensed victuallers in Bristol are 467; beer-sellers, 701; refreshment houses and so forth, with wine licenses, 33; wholesale wine and spirit merchants, 35; total, 1,236.

6101. Mr. *John Abel Smith*.] Now, will you explain the numbers that have been left out?—It happened in this way. We have endeavoured to send to every house a paper and to obtain a return from each; but Bristol is at present in a somewhat peculiar position, that is to say, I think there is a share of the population waiting for more information on the question, but unhappily we are under the despotism of a class of licensed victuallers. Our last meeting was broken up; we have not, therefore, the means which other towns have of holding public meet-

ings, and through the press and speeches giving that light which the people desire, therefore they are in that undecided state of mind.

6102. *Chairman*.] I gather from what you state that you have not had the means of getting at the public opinion of Bristol?—As far as public meetings are concerned we have not.

6103. Mr. *John Abel Smith*.] Do you consider the canvass to be an indication of the feeling of Bristol?—The canvass, I think, is a fair view of the feeling of the people so far as they are informed upon the question; but there is a large class who are not informed, and, as I have said already, the ordinary means of giving them information has been taken away from us, and I think I can show this to be the case. We had a meeting called by the mayor on a requisition signed by 34 clergymen, 36 dissenting ministers, and a large number of large firms, showing that the people wished the matter to be fairly put before them and to hear both sides, but I am sorry to say that only one person at that meeting had a fair hearing, and that man was sent by the publicans.

6104. Was there an address, largely signed, presented to Mr. Berkeley upon the subject of this Bill?—Yes; there was an address signed by upwards of 1,580 electors.

6105. *Chairman*.] Can you give us the total number of electors in Bristol?—I should say that the total number of electors in Bristol might be 12,000 or 13,000.

6106. Mr. *Locke*.] How many are on the register?—I should think there would be between 12,000 or 13,000 on the register. There were upwards of 1,580 who sent a request to Mr. Berkeley, asking him not to oppose, but to support Mr. Abel Smith's Bill.

6107. *Chairman*.] That would be a very small minority of the whole?—Yes, of the whole body of voters.

6108. Mr. *John Abel Smith*.] There has been no strongly-pronounced feeling in Bristol one way or the other?—Except so far as the canvass showed it.

6109. But that is only a partial one?—It does not give the entire population, but, comparing the yeas with the nays, to my mind it shows a very large majority for Sunday closing.

6110. Are you in the habit of mixing much with the people in the town?—Yes; I have moved about a good deal amongst the citizens.

6111. I mean amongst labouring men?—I have been somewhat amongst the labouring men.

6112. And do you find them in favour of total closing?—There are a large number of them who are.

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The Rev. GEORGE WILSON MCCREE, called in; and Examined.

6113. Mr. *John Abel Smith*.] WHAT is your position in London?—For 20 years I have been the Domestic Missionary of Bloomsbury Baptist Chapel, visiting the poor in St. Giles, and, in conjunction with that, the Pastor of the Mission Church in St. Giles.

6114. You have, then, the closest and most intimate knowledge of the working classes in London?—I have visited the houses and factories of the poor for six and eight hours a-day during a great portion of that time.

6115. Will you tell the Committee what you think yourself of Sunday drinking in its influence.

ence upon the moral and social condition of the poor?—I have been in the habit of visiting the poor in their homes on the Monday, and during all the week, and I have always found a larger proportion of drunkenness to have existed on the Sunday, and consequently a larger amount of misery, and unhappiness, and vice existing on the Monday and Tuesday, in consequence of Sunday drinking.

6116. Do you believe that there is more drinking on Sunday than on Saturday evening?—In St. Giles there is remarkably more on Sunday than Saturday.

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6117. To what do you attribute that?—To the fact that a large number of the population work late on the Saturday night, the consequence is they wish to finish their work, such as tailors' work, shoemaking work, and so on, and then they devote their Sunday to drinking.

6118. Have you any returns at all to show a comparison of the attendance in public-houses on the Sunday, or anything of that sort?—I have nothing to state as to that, except that I have been in the habit of visiting the neighbourhood of St. Giles, I mean going up and down the streets on Saturday evenings, and also on Sunday evenings, for the purpose of conversing with the people, and I have found comparatively little drunkenness on Saturday evening compared with Sunday night.

6119. Are there a very great number of all ages attending the public-houses on the Sunday?—People of all ages attend, and I am sorry to say a considerable proportion of young people, men and women, young men and young women, and even boys and girls.

6120. The habits they acquire there are, of course, excessively injurious to them?—Yes; it makes them poor and disorderly and vicious.

6121. Do you believe that the people feel that themselves, and that they are disposed to see restriction carried further than it is?—It is very common, both for the men and the women on the Monday and Tuesday, to say to me, and often with tears, "Oh, Mr. McCree, we wish the public-houses were all shut up on the Sundays; it would be a great blessing to us and our families."

6122. Of course Sunday drinking is entirely antagonistic to the efforts made by you, and by others similarly employed, to produce greater attention to moral duties?—I have done what I could to establish classes for innocent recreation, popular entertainments, and other means of entertaining and amusing the poor, but I have found, in every case, that the public-house is the chief opponent to those efforts.

6123. Mr. Yorke.] Do you mean on the Sunday?—No, during the week.

6124. Mr. John Abel Smith.] Are you in favour of popular entertainments on Sunday?—No, not on Sunday. I have endeavoured to attract them from the public-houses on other days, especially on Monday nights.

6125. Have you not had a great deal to do with excursion trains?—I have a great deal to do with taking the poor into the country in the summer for a day's holiday.

6126. Do you allow any intoxicating drinks on those excursions?—No, never.

6127. Do you find that that destroys the desire in those people to go by those excursion trains?—So far from that, I find that many persons who consume intoxicating drinks themselves prefer to go with my excursions because of the greater comfort and order amongst the people, and the great enjoyment they have in being with us.

6128. What ground have you for thinking that juvenile drunkenness is increasing?—For some years I have been engaged in correspondence with chief constables, medical men, missionaries, clergymen, schoolmasters, masters of boarding schools, parents, and so on, and I have endeavoured to elicit from them the amount of drunkenness amongst young people, and to a remarkable extent my correspondence shows that during the last five years there has been a decided increase in juvenile intemperance.

6129. Do you think that the same remark applies to drunkenness among women?—To a large extent. I might say that I believe a considerable amount of drunkenness amongst children arises from the fact that a large number of publicans in London endeavour to entice children to come to their public-houses to buy drink for themselves, or to bring their jugs to their public-houses for their parents' beer; they offer them prizes and rewards to do so. And, if the Committee will allow me, I will state one case where a large public-house was opened, the proprietor of that house sent all over the neighbourhood in which his house is situate a band of music in a van, and scattered small bills all over the neighbourhood, stating that he would give away a handsome jug to every person who came to his public-house that evening, and a number of children went to the house, and some of them were certainly in a state of intoxication. I might also say, that in another locality the window of a gin-shop there had the following notice, "Children, do not forget to bring your jugs all the week, as a thousand pieces of rich cake will be distributed on Sunday next." And, in another window there was this notice, "Children who deal at this establishment will be presented with a piece of rich cake on Sunday next."

6130. Colonel Fane.] Will you give the names of those houses?—I should not like to give the names.

6131. Chairman.] It is such a striking circumstance that I should like very much to have some more proof of it than the mere assertion?—I am in this difficulty, that I visit those places, and I go from door to door amongst those people; and, therefore, to specify names would expose me to considerable difficulty in my attempts to do good in future years. I may say that I guarantee the accuracy of my statement.

6132. Mr. John Abel Smith.] You are confident of the truth and accuracy of the statement which you have made?—Yes.

6133. Chairman.] Did you see what you have just stated?—Yes, I did. I have here a map of the part best known as Seven Dials, and on this map I have marked the public-houses, amongst which I have to labour; the Committee will see in a moment the enormous amount of drunkenness which must exist in that part of St. Giles (handing in a map to the Committee).

6134. I believe that a large part of the population of St. Giles is Irish?—Not so much Irish as it was 10 or 15 years ago. In those 26 public houses I have reason to believe that 52,000 l. a-year are spent. The map shows that in that part of Seven Dials, where I am more particularly labouring, there are four day or Sunday schools, three places of worship, three newspaper shops, 10 bakers' shops, no butchers' shops, and 26 places where intoxicating drinks are sold.

6135. Mr. John Abel Smith.] Are you acquainted with other parts of London where Sunday drunkenness may be supposed to prevail such as the New Cut, Whitechapel, and the Westminster-road?—I have examined those places very carefully on Sunday evenings, on purpose that I might endeavour to get the amount of drunkenness amongst the poor, especially as to young people.

6136. And are you satisfied with the result of your observation, that there is an amount of drunkenness which seriously interferes with the moral state and social comfort of the labouring people?—I find that the attendance of young people

in those neighbourhoods at the public on the Sunday evening is the chief cause of their subsequent poverty and vice, and the of ruining a vast number of young girls.

67. Do you believe that a large proportion of working men do drink on Sunday more than ought?—I believe that they do; I believe it is their chief day for drinking, and consequently their chief day for folly and extravagance.

68. Do you believe that a large proportion of the working men of London spend a great deal of their earnings in Sunday drinking?—I believe that there are a large number of working men in London who have not been in any place of public-house for the last 5, 10, 15, or 20 years, and who spend a large part of their money in public-houses on Sunday, and who are at present irretrievably in consequence of the perpetual temptations to which they are exposed by the public-houses being open on that day, but usually open from six o'clock and later on every night.

69. Do you believe that there has been an improvement amongst the working classes since the Bill has been in London?—I do think so.

70. To what do you attribute it?—I attribute that improvement to the extension of public schools, temperance societies, bands of working men's clubs, open air preaching, and the general influence of improved civilisation.

71. And the general efforts made to civilise and improve the people?—I do think so.

72. Have you had any personal experience of London at any large distance?—I walked in Northumberland, Cumberland, Westmoreland, Yorkshire, and other parts of the North of England, living amongst the people, living in houses of shepherds, miners, tailors, carpenters, farmers, and so on; and that has extended 15 years, but chiefly 15 and 20 years ago; and early I have been in those counties for similar purposes.

73. What do you think of the feeling of the population generally; first of all, are their habits of drinking still considerable?—Their habits of drinking are deplorable, and worse than any returns ever shown, because a vast number of intemperate persons are never apprehended by the police, and, therefore, their intemperance never appears in the police returns.

74. The police returns, as a rule, only enumerate the cases of drunken helplessness, and drunkenness with violence?—A sergeant of police in St. Giles, a few days ago, said to me that a wise policeman never interferes with a drunken man if he can help it.

75. *Chairman.* Would you separate the country, or would you say the same with regard to the country?—The same statement applies to the police in the country. A policeman in a village will never touch a drunken man if he can help it.

76. You said that the inebriety was deplorable in London; did you say that that was the case in the North of England?—Yes, in every part of England which I have visited.

77. *Mr. John Abel Smith.* Do you believe that drunkenness prevails in the country to any extent?—I believe that the drunkenness in the villages is very much greater than the residents in many of those villages imagine.

78. Why do you think so?—I believe that the beer-shops you have a large amount of

drunkenness which is not known to the persons living in the village.

6149. Do you believe that the drunkenness in beer-shops is worse than in public-houses?—I believe that a lower type of persons go to beer-shops, and I think that in many cases the attractions presented by the beer-shop keepers to their customers are of a very immoral character.

6150. Reverting to the feelings of working men as to restriction, do you think that they look at the existing restriction as a useful means of protecting them from their own folly?—I have found the more respectable and thoughtful working men to be decidedly in favour of increased restriction.

6151. Have you looked through the Bill which is referred to this Committee?—I am acquainted with its provisions.

6152. Are you in favour of it?—Yes, decidedly; and I should like to have more than that Bill.

6153. You wish to see restriction carried further?—Decidedly.

6154. You would only take this as an instalment of more?—Exactly.

6155. Do you believe that there would be anything like disorder or confusion, or resistance to the law, if that Bill became law?—There would not be in St. Giles.

6156. Do you recollect the year 1854?—I do.

6157. Do you recollect Mr. Wilson Patten's Bill in 1854?—Yes, I do; I very carefully watched its operation.

6158. Can you give the Committee any information as to the supposed resistance to that law; was there any resistance?—It did not originate with the poor in St. Giles.

6159. Did it originate with the poor in London generally?—I do not think it did.

6160. Was there another Bill at the same time, which excited great apprehension, the Sunday Trading Bill?—I think so.

6161. And you do not believe that there was any resistance to Mr. Wilson Patten's Act which justified Parliament in repealing it?—No.

6162. It was in operation about a year, was it not?—About that time.

6163. During that year were the effects which it produced favourable or unfavourable?—The neighbourhood of St. Giles was quieter, and the working people generally spoke of the Act in kind and appreciative terms, the women especially.

6164. Do you believe that drunkenness is limited by restriction?—Decidedly so.

6165. And increased by facilities?—Yes; it is increased by facilities presented to poor men to obtain intoxicating drinks. The more facilities you put before them, the more drunkenness you have.

6166. Having a very long and varied experience in reference to the working men of London, and the country generally, do you give an undoubting testimony in favour of increased restriction, wishing to see it carried further than the limits of my Bill?—Yes; and I believe that such restriction would be perfectly safe, and most beneficial to the poor.

6167. Do you know anything of the feelings of employers of labour in London upon this subject?—I have conversed with large numbers of them.

6168. What do they say?—They are decidedly in favour of closing public-houses on Sunday, because their losses in consequence of the absence of their men on the Monday are simply enormous.

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mous, and the disappointments to their customers are often very painful to themselves, and are injurious, of course, to the public altogether.

6169. You are probably of opinion that the desire of the working class to have restriction and protection against themselves ought to be considered, and favourably considered, by the Legislature?—I think that the Legislature would act a kind and a proper part if they protected the poor man from the vast and injurious temptations that are placed before him on the Sunday.

6170. How would you have those men employed on the Sunday?—One thing would be the result; the poor man, being separated from the public-house, would probably devote more time to the education of his family, and to that pleasant social intercourse with his wife and children of which he is deprived during the week by the hours of his labour, and that would have a very soothing influence upon the man's own character, and be a great benefit to the wife and to the little ones.

6171. As a rule, do the working class of London go out much into the country on Sundays?—Not so much, I think, as many seem to imagine they do.

6172. Do you believe that the restrictions in this Bill with regard to the hours of opening would impose any serious inconvenience upon any large class?—I think not; I think that the excursions would be more beneficial and more delightful altogether.

6173. Would you allow excursions on Sunday?—That is a question which, perhaps, I am not called upon to decide at this moment. I may say, that as a whole I believe that the Sunday excursion is not beneficial to the morals of the working men; and that anyone who will stand at the railway station, say from 9 till 11 o'clock, will see that a very large number of those excursionists come home intoxicated. And I may also say that I have been in the habit of going to the Bow-street Police Court, and hearing the Monday morning cases, and I have heard men deplore that they went into the country and got drunk in a public-house, and got into mischief and trouble. The small tradesmen who employ their own horses and traps to leave St. Giles on Sunday for half-a-day in the country, are just the men who become bankrupts and go to shame and misery.

6174. Then you believe that the working men of London, even of the lower class, with whom your benevolent labours bring you into contact, would be in favour of such a Bill as is now before this Committee?—I believe that they would be in favour of it, and perfectly satisfied with it, and especially if those in a higher station would kindly allow them to take their own way in the matter, and not incite them to disturbance.

6175. You mean that if there was no temptation offered to them to combine against it, their own inclination would not lead them to do so?—No; it would leave them to accept the law, to respect it, and to keep it.

6176. Mr. Hibbert.] Referring to the cases which you have named of two licensed victuallers having enticed children to their houses by the offer of cakes or jugs, do you know what the result of it was, whether many children were attracted to those houses?—It would be difficult for me to give the precise number, but I have reason to believe that in two hours about 147 boys and 139 girls entered the house in the one case; and in the other case, where the house was opened, the whole neighbourhood was in a state of

disorder and disturbance, and very serious complaints were made through a public newspaper of the demoralisation in connection with the distribution of jugs.

6177. Were those two cases both upon the opening of the public-house?—No, one was the opening, and the other was simply a method of attracting custom. I may say, that it is common for publicans of a somewhat coarse type to present attractions to the poor and young, and to do all they can to have them in their houses. That arises partly from the fact, that a large number of young people in London who are 14 years of age and upwards make large wages and have a good deal of money at their disposal and are willing to spend it in vicious amusements.

6178. Did either of those cases occur on the Sunday?—One was on the Sunday, the other was on Saturday night.

6179. Which case was on the Sunday?—The cake was offered and was to be distributed on the Sunday.

6180. Was that the case which you said led to great disorder?—No, the distribution of jugs on the Saturday night led to great disorder. Ten thousand pieces of rich cake were to be given at that establishment to the children who came all the week with their jugs, and the cake was to be given away on Sunday, so that, in fact, the child has to go seven times to the public-house to get his piece of cake.

6181. I suppose that in those cases the children would go with their jugs, and fetch liquor for their parents, not for themselves? In some cases, I think, it was for their gratification. But I may say that my connection with ragged schools enables me to state that children of 10 years of age, and upwards, are sometimes in a state of intoxication; and I have had a letter from the country stating that a correspondent of mine found 20 boys and girls drinking in the back premises of a public-house on a Sunday evening, and he recognised most of them as Sunday scholars; therefore, the benefit received in the Sunday school on the morning of Sunday is counteracted by the demoralization of Sunday evening.

6182. Would you say whether this took place in the district of St. Giles, or would you object to state when it took place?—I may say that attractions of this sort are presented all over London, more or less.

6183. When you speak of those two cases, they take place lately, or some years ago?—One took place not more than eight months ago, and the other about 18 months ago.

6184. In the district of St. Giles, of which you have put in a map, are any of those public-houses closed on Sunday?—None of them.

6185. Do you know any cases where the publicans close their houses entirely on Sunday?—Not in St. Giles.

6186. You say that you remember the operation of Mr. Wilson Patten's Act, and that it was looked upon favourably by the poorer classes; you remember the hours during which the houses were open under that Act?—I do not know what I can specify them.

6187. They were open from one to three in the middle of the day, and from 6 to 10 in the evening?—Yes, I think those were the hours; I may say that the drunkenness of the lower and most sensual and degrading type is just what which prevails from 10 to 11; the last hour is the worst.

6188. Hav

1. Having that recollection of Mr. Wilson's Act, I want to ask you whether you think it would not meet the case if the present law were shortened; instead of going so far as it now goes, would you allow the sale of liquor on the premises and off the premises during a limited number of hours?—I think every hour you shut the public-house you do upon the public a great benefit.

2. If the greatest amount of drunkenness takes place at the later hours of the day, if you were to close at 9 o'clock or 10 o'clock you would diminish the drunkenness to a very great extent?—I believe that you would very considerably.

3. So far as that goes you think it would be a benefit to the working classes?—I think so.

4. Have you noticed that in this Bill there is a different provision for London to other parts of the country to this extent, that a person would be allowed to have liquor on the premises provided he took a *bonâ fide* meal in London, but in the country that is not allowed at all; do you think any reason why the country should be dealt with differently from London?—No, I do not see why you should not have the same law extended over the country.

5. There is no reason on account of the difference of the homes of the working classes that would lead you to allow them to have their meals in a public-house in London, and not allow them to have their meals in a public-house in the country?—I think that the more a working man is in his home and with his family the better for himself and his family.

6. [Mr. Locke.] Supposing a man is not a lodger, but is a lodger, are there not a number of persons who require to take their meals in a public-house?—I think not.

7. Have you given any attention to any particular places?—I have explored, I think, every part of London, such as Lambeth, Somers-Street, Whitechapel, Shoreditch, the New Cut, and so on, going just where I wished to go, and talking with the people and studying the neighbourhoods.

8. Have you ever gone through the centre of London, taking the City, and round about the City, and all round that way?—Yes.

9. Are you aware whether in those cases where persons take their meals in public-houses a great number of them living in lodgings?—I do not think a very large proportion of them do so. I believe that as a whole the Sunday dinner is taken at home, and in the lodging where the young men stay.

10. What makes you think that?—From my knowledge of young men in London.

11. Have you ever dined with them on Sunday in their lodgings?—Yes, I have; and I have seen young men living with me for nearly 12 years; and I am also familiar with a large number of gentlemen who let off part of their houses to young men who are connected with City businesses.

12. Do they take all their meals in their lodgings?—In nine cases out of ten, they get their meals at home.

13. Not on a week-day, certainly?—No, I am speaking of Sunday.

14. All those houses, I do not mean in the City, but in other parts where young men who live in lodgings take their meals during the week-day, are likewise open on Sunday, are they not?—I am acquainted with a large number

of young men connected with City houses, and they inform me that dinner is provided for them in their houses of business.

6202. That is to say, where they live in the house of business they all dine together?—Yes, and in the house where they lodge; I may say that a very large number of City young men do not live in the City at all; they live in Islington, Barnsbury, New Cross, Forest Hill, and so on; they go away to those places to get out of the temptations of London life.

6203. And there do they all lodge together?—They lodge in twos and threes, with respectable families.

6204. Do you know any of them who lodge in London?—Yes.

6205. Take Southampton-buildings, and the neighbourhood of Furnival's Inn, and all round that district which surrounds the Temple and Lincoln's Inn, and that part of the town; are you aware of the mode in which young men lodging there live?—Yes, I am.

6206. Do not you know that they dine at different taverns and public-houses every day in the week, unless they are engaged to dine out somewhere else?—To a large extent they do.

6207. I ask you whether closing those houses on Sunday would not be inconvenient to them?—I think not, because they might provide themselves with what they desire on the Saturday.

6208. But somebody must cook their meals for them?—Of course.

6209. In answer to my friend, the Honourable Member for Oldham, you said that you would extend the same law throughout the country; this class of people would, to a certain extent, be benefited by the proviso in this Bill, which says that if they take a meal in a public-house on the Sunday, they may have liquor to drink during that meal; do you think that they ought to be deprived of that?—I think that in that case very strict supervision would be necessary over those houses by the police, in order to see that dinner was taken with the liquor; that it was a real actual dinner.

6210. My friend used the term *bonâ fide* meal; that would mean breakfast, dinner, or supper, any meal during the day?—Yes; I think that such a clause would open the way for a vast amount of evasion.

6211. But that clause is in the Bill, and is part of the Bill; do you think, likewise, this would be open to evasion, taking liquor to be consumed off the premises, when a person goes with a jug to get some liquor, might not he take that jug, and have this liquor drunk just outside the door?—I have found, as a whole, that when a jug is sent, not more than a certain quantity of liquor is sent for, and that there is very little intemperance in the homes of the people; the intemperance is in the public-house and in the beer-shop.

6212. If the liquor were only allowed to be taken off the premises and carried off, persons might go there with a jug and take it just outside and drink it, might they not?—They do so now in certain parts; often in the country, where there is a retail shop, where the license says, "Not to be drunk on the premises," they stand on the step and drink it; and I may say that a publican who wishes to evade the law as to not serving a child with intoxicating drink, under a certain age, I think it is 14, will serve him with liquor to be drunk by himself, and will say, "Just go outside and drink it, and bring back

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back the jug." The consequence is that a vast amount of juvenile drunkenness is promoted by, or winked at by, publicans in that way.

6213. It would be better, then, that the parent should go to the public-house and drink there, so that the child might not get drunk in carrying it home; is that your view?—I think that for any parent to send a child to the public-house, is to expose his child to fearful temptation and moral wrong, because of the obscene language which the child is sure to hear in the public-house, and because the child in coming home is likely to sip the jug, and thereby imbibe very early an appetite for drinking.

6214. I think you agree with me, that if drinking is to take place a grown-up person had better go to the public-house and drink there, than entrust his child with a jug to fetch it?—I think he had better not go the public-house at all.

6215. But it would be better for the child than sending the child to the public-house with the jug?—Yes; it would be better for the parent than the child; that is to say, it is still better for the parent not to go at all.

6216. The reason why this publican would have said that there was a piece of cake to be given on the following Sunday, is the competition between different public-houses, I presume, is it not?—I mentioned the fact.

6217. A little child goes out with a jug to get the drink somewhere, and naturally the child would go to the public-house that gave it a piece of cake; is not that the case?—I presume that there is a vast amount of competition amongst the publicans.

6218. But still the child would have gone to a public-house, at all events, to get the drink?—No; I think it is very likely, indeed, that in many cases the children begged the money, or persuaded the father or mother to have some beer, so that they might get the cake.

6219. But that is your mere opinion; you did not hear the children do that?—I am so intimately acquainted with the children of the poor that I know they will do anything to get a piece of cake or an orange, or some sweetmeat; they would say to the father or mother, give me an opportunity of getting the cake; and, therefore, it would not only tempt the child, but the child would tempt the parent.

6220. Would it tempt the father to drink, because the child wanted to go to the public-house to get a piece of cake?—Yes; and therefore you have a double evil involved in this fact.

6221. The temptation to people to go to particular shops to buy things by offering the present, is not confined to public-houses, is it?—do not many grocers, for instance, when they open their shop, say, "If you come and take your tea of us, we will give you some lollypops in the tea." Only, if you take the tea, there is no moral temptation. Only, if you take the drink, there is a moral temptation.

6222. Do not they hold out temptations to come and buy tea at a particular grocer's shop, making a present to the person who comes to purchase those articles?—I would not object to a grocer doing that if he thought proper, because I would say to myself, if a child should go into a shop, there would be no moral temptation, if a child goes to the public-house there is a moral temptation.

6223. But I only ask you the bare question whether that course of proceeding is confined to publicans or not; whether other shops do pursue precisely the same course?—I do not know of any shop that I am acquainted with in St. Giles where that practice obtains. Now, then you have it when a shop is opened, but as a general rule.

6224. It is not a rule with publicans either, is it?—It is a rule with a large number of the publicans, and further, they are desirous to find attractions in their houses behind the bar in different shapes, in order to get people into their houses to drink.

6225. There are attractions held out in every shop in London, where there is so much competition, is there not, to induce people to come and buy different articles?—Yes, I am aware of that.

6226. Mr. Knatchbull-Hugessen.] What is the dining hour of the working classes in St. Giles?—About one o'clock on Sundays.

6227. Do they send for their beer from public-houses?—Many do, but a large number of them dine at home, and having dined they go out and lounge about the streets, and finding public-houses open they go into them.

6228. That is a temptation which you would wish to remove from them?—That is a temptation which I should like to remove from them.

6229. Mr. John Abel Smith.] There was a very large petition presented against this Bill to Parliament; do you know anything about that petition or the getting up of it?—I cannot say that I did not come in my way.

Monday, 8th June 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. Berkeley.
Mr. Evans.
Sir James Fergusson.
Mr. Knatchbull-Hugessen.

Mr. Locke.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

Mr. ROBERT MATTHEW MORRELL, called in; and Examined.

6230. *Chairman.*] WHAT are you?—By trade I am a Goldsmith and Jeweller. I was 25 years in the establishment of Messrs. Drayson & Burwash, manufacturing goldsmiths and jewellers, 16, Brewer-street, Golden-square; 10 years of which I was foreman of the establishment.

6231. Are you now in business on your own account?—Yes.

6232. Do you employ many workmen?—No; I am in business as a shopkeeper.

6233. Have you men in your employ?—No, nothing but my own family.

6234. Is your acquaintance with working men large?—The following list I think will show: I have been 20 years a ratepayer in St. Pancras and Marylebone parishes, having lodgers. I was a committeeman of the first working men's excursion to Paris, a committeeman of the North London Industrial Exhibition, secretary of the West London Industrial Exhibition, secretary of the borough of Marylebone Working Men's Club, secretary of the delegates of the London trades, appointed to prove the working classes to be in favour of the opening of the national institutions on Sunday, secretary of the Sunday bands in the parks, secretary of the National Sunday League, secretary of the Crystal Palace Share Clubs, for enabling working men by weekly subscription to purchase a share, giving them the right of free admission to the Palace on Sunday, a committeeman of the Technical Education Committee, which is at present sitting with regard to technical education, and a committeeman of my own Goldsmith's Annuity Institution, and various other things.

6235. Have you been elected to most of those offices by large numbers of members, or have some of them been self-constituted committees?—I may say without any vanity on my own part, that my name is so well known as a worker, and so well known among the working classes, that it is difficult for me to go into any meeting, called for a progressive movement, without being elected on to it, and to some of them I have been elected in my absence. I may also mention that, with the exception of the West London Industrial Exhibition, the whole of the offices that I have held have been honorary, and without remuneration.

6236. I may ask you again, generally, the question that I put a little while ago; do you consider that you represent the opinions of a large number of persons, with regard to the

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question before the Committee?—I should be glad to answer that in my own way, if you will allow me; I am not appointed by any of those societies to represent them on this question. I come forward simply on public grounds to represent what I know to be the general feeling of the working classes, and because I have witnessed, and have read in the statistics, and in the evidence that the Committee have had before them, what I know to be a vast amount of misrepresentation.

6237. But do you represent the opinions of a great number of other persons upon this question?—Exactly so.

6238. You would be content to say that you represent a large number of other people?—Yes. Perhaps I might say at once that I had a visit yesterday from a gentleman, who had seen the report of the evidence taken before this Committee, and who had seen in one of the papers that I was to give evidence before you to day; and he brought this statement to me yesterday, that I might lay it before the Committee. His name is Mr. Henry Wilson, a foreman of Poole's tailoring establishment. There could be no question about its accuracy, because you all know Poole's tailoring establishment, and you can refer to him at No. 21, Clifford-street, Bond-street. The question of closing the public-houses on Sunday was put throughout the establishment on Saturday last to the 300 men employed on the premises; and I have here what is sent to me as the result.

6239. Mr. John Abel Smith.] Do you yourself know anything which enables you to judge of the accuracy of the information given to you?—Not beyond this: that I should say the sentiments throughout all the societies of working men that I am acquainted with are about the same as are given here.

6240. Mr. Locke.] Do you know anything about Mr. Wilson?—I know Mr. Wilson as being a man of strict integrity, and I could pledge myself that what he states is the truth.

6241. *Chairman.*] Will you tell us what he has stated to you?—The men are described as intelligent; they read the "Times," the "Star," the "Standard," "Punch," and other leading journals, and of the whole establishment of 300, which is the number employed on the premises, nine only are in favour of closing, and of those nine only a portion of them are for coercive measures; some portion of them wish to see the spread

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of teetotalism, but they decline to have it done by coercive measures. A general feeling, he adds, was expressed that drunkenness on Sunday was as nothing compared to the Saturday night, and that such places as the British Museum, the National Gallery, and the Crystal Palace should be open on Sunday.

6242. Are you aware of the object of the Bill before the Committee?—I am.

6243. Have you read it?—Yes, I have read its objects and provisions as given in the newspapers.

6244. Are you in favour of any additional measures for restricting the hours for the sale of liquors on Sundays?—I am not; I am for maintaining them as they are.

6245. Will you give your reason for that opinion?—As a working man with a large family, what recreation I have been enabled to take has been on the Sunday, to Brighton, we will say, or to Southampton, or whatever other place I could occasionally snatch a day to go to. I should say that, economical as I am obliged to be, it necessitates the taking of our dinner and provisions with us, and when we get to such a place as Brighton or Southampton, the only places that are open to us to go in and have our dinner or family meal is a respectable tavern. We there have a room and the accommodation of knives, forks, plates, and so forth, and with that we get what to me is a necessity, and that is, a glass of ale or a glass of malt liquor.

6246. Do not you know that the Bill would not restrict the practice of using public-houses under such circumstances?—I do not know that. It seems to me that it would be just the contrary.

6247. But it has been stated to the Committee that the intention of the Bill is not to deprive *bonâ fide* travellers of any of the privileges that they at present possess?—I am aware of that; but then the traveller would have to make the publican open his doors to him, and to prove to him *bona fides* as being a traveller; and if you know the feelings of the working classes as well as I do, you will find that they would look at a shut-up house and pass on rather than have the trouble and difficulty of knocking up and bringing the landlord to the door to open it and prove that they were *bonâ fide* travellers. They would just make the best shifts they could, or rather they would find, and this, I believe, is the object of some of the supporters of this Bill, that such difficulties would be put in the way of excursionists that the excursions would be abandoned altogether.

6248. Will you go on with your statement of your reasons?—That is one reason why I would not alter the present regulation; and there is another thing; as I have stated before, I am secretary of the Sunday bands in the parks; some of you gentlemen may never have paid a visit to the parks on Sunday, and, if you have not, I would strongly advise you, if you wish to see the working classes, to come to one of the parks, especially to Battersea, on the Sunday, and you will find that there we have commonly 50,000 persons on the Sunday afternoon, and the order and attention is such, that if it was in a building, as the saying is, you might hear a pin drop. I am sure that I was delighted yesterday afternoon with the orderly conduct of the vast mass of the people there. Those people come from a long distance; they walk in the park for two or three hours, and they have a long distance

to go home, and if there are 50,000 there, probably one or two persons in a hundred may go into a public-house to have a glass of ale previous to their return; I confess I do myself; I have been all my life one of those who could use without abuse, and I cannot for the life of me see that there is anything wrong in my going in to have a glass of ale previous to my return home; I find that this Bill would deprive me, and all who go to the parks on Sunday, of being able to get a glass of ale previous to returning home.

6249. Unless it happened to be within the permitted hours?—But then they could not have it on the premises; it shuts us out altogether; therefore, on the part of those vast audiences that go to the park, I must enter my protest against this Bill. I would also call attention to another class of the community that would be very much discommoded by this Bill, I allude to the small tradesmen. The practice has been growing of late years for them to shut up shop on Sunday; Sunday trading is going out of fashion altogether, not from the spread of Sabbatarian views, but simply from the fact that the people have learned to value recreation on the Sunday, and on Sunday the shop is now shut. In my own neighbourhood, where I have resided, I have watched the closing for the last 20 years, and I have seen streets where once the shops were wide open, where now they are all of them closed, and the proprietors of those shops are off to some place a little way out of town. What would be the result if you passed this Bill? they go in their little traps or their horse and cart, and if you pass this Bill, there is no accommodation for man or beast.

6250. That is to say, you don't think the exemption in favour of *bonâ fide* travellers would be of much use, because they would find the houses shut up?—Yes, exactly. A publican would not think it worth while to open his place for the sake of serving an occasional traveller. There is also another point which I would mention. You may be sure that I have read a great deal on this matter, and I have seen a great deal stated by the supporters of this Bill, to the effect that excursionists come home very drunk and very disorderly. I have watched them very carefully at Brighton, or Southampton, or Dover, or other places. I have gone into the station half-an-hour before the time of the train starting, and taken a carriage exactly opposite where all the passengers must come in to return home, and I have watched the whole of the persons that came in to enter that train, and I have rarely seen a person intoxicated. Last week I was speaking to a gentleman who is the manager of one of the large railways out of London, about this assertion of the Sabbatarian party, that the railway stations on the Sunday nights were the scenes of riot and debauchery, and all kinds of things. I asked him what his opinion was, and he said, "Well, it is simply this: that men are so cooped up during the week, that when they get out, which they do for an excursion of this kind, perhaps, once in a couple of months, their spirits are so elated and buoyant, that there is, perhaps, a little overflow of spirit, which is mistaken, on the part of some very sedate people, as being caused by spirits of another kind." I can also call to mind my experience when the Act was in existence, which it was for a short time, for closing the houses at 10 o'clock. I had been on an excursion in

a train which, perhaps, reached Waterloo station, or whatever station it might be, within a few minutes of 10 o'clock. There has been a lock on the line, and we have heard Big Ben strike 10 when we have been sitting in theriages, and if you honourable gentlemen could have heard the expressions used throughout theriages by the passengers as to your wisdom in passing that measure, I think you would not have been very much flattered. I wish to call your attention for a moment, and especially of the promoters of this Bill, to the evidence of two gentlemen which, although not direct evidence, I hope Mr. Abel Smith will allow it to be given; it is the evidence of Mr. Burney, the manager of the Citizen Steamboat Company, and Mr. Sawyer, the manager of the Iron-boat Company. They stated this some 12 months ago in a deputation to Lord John Manners.

6251. Mr. Locke.] Did you go with a deputation to Lord John Manners?—Yes; I was on the deputation, and the statement was this: that formerly they used to take from 10,000 to 12,000 persons on Sunday to Cremorne Gardens, but since Battersea Park had been made so attractive, and the bands had been played there, instead of taking 10,000 or 12,000 to Cremorne, the numbers had come down to something under 2,000; whereas the numbers taken by them to Battersea Park had gone up to 10,000 or 12,000, shewing that the people were drawn away from Cremorne Gardens by the attractions of Battersea Park, and the performance of the band therein. I do not know now whether it might be allowable in me to state that my business calls me down Drury-lane and through Seven Dials in the morning as early as between six and seven, and that I never hardly go through without seeing drunken women. Only as lately as last Friday morning, at seven o'clock in the morning, there were six drunken women fighting and tearing one another to pieces in Drury-lane. Those are the class, the unskilled labourer and the costermonger class, who really produce the drunkenness that is so deplorable amongst us; but I venture to ask you, gentlemen, why is the large class of respectable mechanics that I represent to be inconvenienced, to be punished, to be reached, in fact, over this drunken and degraded class?

6252. Chairman.] You object to the respectable class being coerced on account of those who cannot restrain themselves?—I do; there are a number of points which I wish to speak to, because the Committee will be aware (Mr. Locke I know is), that I am one who have taken a deep and active interest in all questions connected with the working classes for the last 12 years; I have devoted a very considerable portion of my life to the promotion of temperance and to all measures which I conceive to be for the benefit of the working classes, without being at all biassed by what I conceive to be the erroneous and narrow-minded views of the Sabbatarian party; among other things, I have had something to do with the statistics quoted before this Committee. It is now some few years since that St. Pancras was reported to have been canvassed, and it was quoted very largely by those gentlemen getting up this Bill, that the number in St. Pancras, by a house to house visitation, was so largely in favour of the Sunday closing, that it fairly made the ratepayers open their eyes; they had no idea that their neighbours were so much of that way of thinking, but at a public meet-

ing at St. Pancras Vestry Hall, I ventured to question it.

6253. When was that?—It was some seven or eight years ago; I have not anything to recall the date to my mind, but I was challenged to go to the Alliance offices in the Strand and look into the books and examine for myself; I did so, and this is what I found; it was just as I expected; taking my own street there were two returns in favour of the Bill, and, I think, not one opposed to it: the fact of the case was this, that in that street those two were the only ones who were in favour of it, and all the others were opposed to it, but when the person knocked at the door to leave this paper, the housekeeper, or whoever took it in, said, "You be off, and do not show your face here again;" another said, "If you come bothering me again I shall give you something that you will not like," and all that sort of thing.

6254. Are you speaking of the canvass, the result of which is before this Committee just now?—It was for the same object.

6255. But it was seven or eight years ago?—Yes.

6256. You do not know anything to that effect with regard to any canvass, the result of which is before the Committee now?—I can only speak of that in comparison as bearing upon the statistics which have been laid before you with regard to other places on the present occasion.

6257. You know that the statistics upon the same subject have been got up in a loose way; is that what you mean?—In St. Pancras not in a loose way, because I believe the parties getting it up know very well what the answer would be.

6258. Is this what you mean, that the statistics got up by the Alliance at one period were not trustworthy?—Yes.

6259. But you do not make that allegation against any statistics that are just now before the Committee?—No; because I have not personally tested them; I can only judge from my experience, and I am giving this as an instance of how those statistics were quoted, or rather misquoted at that time; and this is the point which I want to come at with regard to that, that it is useless to rely upon statistics got up by one party for the House of Commons; if the Government want to get an impartial return, it must be done by an impartial party; the working classes will pay no attention to anything put forward by one side or the other, but if you want to get an impartial return, I see various ways in which it could be done; for instance, I know that the trades societies of London, if applied to, would take the views of their trades upon such a question, in the same way as I have given you the views of Poole's establishment on Saturday last, and, therefore, it is that I would ask you not to dwell too much upon the statistics which you have had before you.

6260. When any question of general interest is before Parliament, a great many petitions come up, and if a great many come in favour of a measure, and not many against it, Parliament generally assumes that the prevalent opinion is in favour of the measure, although there are not direct and impartial returns to be procured?—Will you allow me to say in reply to that, that the feeling with reference to this Bill amongst the working classes (and I have heard it over and over again), has been, that surely the House of Commons has got too much sense than to pass such a Bill. I have not, and thousands that I know

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know have not signed, any petition in opposition to this Bill, because they place such implicit reliance upon the House of Commons that they have too much knowledge and too much wisdom to pass such a measure; and I may say that scarcely, ever within my knowledge, has greater surprise been expressed than when it was found, that this Bill had passed a second reading in the House of Commons; and it is a very common remark to hear in society, "Well, if they do pass it, the only thing we shall have to do, will be, to knock it over; we will get rid of it in a week, if they do." But still there is a very strong feeling not to pass the Bill; and I should have mentioned in the outset of my evidence perhaps, that I am not in any way connected with the publicans if they have any association or organisation on this matter. I come forward, simply on my own account, and to represent the working men. But what brings it to my mind now, is, that I have read a statement by one of the gentlemen who has been before you, to the effect that the Hyde Park affair that broke up the previous legislation was the result of the publicans organisation. Now, as I happen to know something of that, I can, perhaps, give you a little information upon it. It was spread about by word of mouth, that there was to be a meeting in Hyde Park on the Sunday. I heard of it accidentally, and I went with my wife. There were a number of nobility and gentry riding in the Row, and my wife said in a sarcastic way, "Oh, if those are the promoters of the Bill, why do not they go to church?" That was taken up, and the next one sung out, "Go to church," and the cry run along the whole Row, "Go to church, go to church," and it spread, and, as you know, that went on Sunday after Sunday.

6261. Do you say that there were a number of nobility and gentry riding in Rotten Row on Sunday?—Yes, I mean in carriages; I assure you that from so trifling a thing, the effect was most marked; it was like a spark to a barrel of gunpowder, it ran along so.

6262. You were going on, I think, to say, that this went on Sunday after Sunday, and at last the riots grew to a great head?—The roughs came in then, and of course brought discredit upon the others. I should like also to mention with regard to petitions, that a member of my own family, or rather a member by marriage, has, in my own presence, boasted that he has signed five petitions in favour of a Bill of this kind, as a member of five particular congregations. It was his boast to go from chapel to chapel and sign as a member of each particular congregation. I merely point this out that such means are really not honest; but some of these gentlemen seem to consider that the end justifies the means, and they are quite unscrupulous; they do things for a cause which they would shrink from doing as individuals.

6263. Still, although you say that you would not trust implicitly to statistics got up by a party, I suppose that you would admit that there has been a considerable advance among the working classes in favour of restrictive measures?—No; I do not admit that; I deny it most positively. I admit this, that there has been a very great improvement in the intellectual culture, and in the general advancement of the working classes. I say this. I have discussed the subject, and gone into the company of the most learned of the land; it has been my business, in carrying out certain

measures, to bring me in contact with a number of the most learned men in the kingdom, and I have discussed with them in taking their signatures to the number of a thousand to a memorial to the Queen in favour of the National museums and galleries being opened on Sunday after morning service, and I know a great many of what I may consider the superior of the working classes, and I say that the working classes are very superior in their knowledge and acquirements to a considerable number of the grades of society above them. Taking the trading class, I believe that there is a vast proportion of working classes who are more advanced than those, and of others who are considerably above them, until you come of course up to a considerable grade above them, such as gentlemen who have had a college education.

6264. I am not saying that supposing three-fourths of the working classes were in favour of restrictive measures, it would be right to coerce the other one-fourth, but I am asking you whether you do not think that there is an increased feeling of late years among the working classes in favour of restrictive measures in this sense?—I do not think so. I think that what I have brought forward before you with regard to Poole's establishment may be taken as a fair example. For instance, as I said at the outset, I was 10 years foreman of an establishment, and I was 25 years in that establishment, and during the whole of that time I never knew any one employed in the establishment who was in favour of restrictive measures. I never knew any one who was a Sabbatarian, and I have had a number of instances come under my notice, where the House of Commons has been misled upon such questions. For instance, Mr. Cubitt some years ago, on a question of this kind in the House of Commons, stated that his men were opposed to the opening of the national institutions on Sunday, but, on inquiry of his men, I found out that they had never been asked. Mr. Cubitt had said to the gentlemen in his counting-house, "What do my men think of this question?" And those gentlemen immediately surrounding him, knowing his own views, said, "Oh, Sir, they think the same as you do, that these places should not be opened." And upon the faith of that, Mr. Cubitt had made that statement in the House of Commons.

6265. What is your opinion of the operation of the Act which closed the public-houses at one in the morning?—I would keep it as it is.

6266. Do you think that it has worked well?—I experience a little inconvenience occasionally, and so do the whole of my class, but we are disposed to put up with that inconvenience; for instance, if we go into the country we, perhaps, have breakfast at five or six o'clock in order to get away, and we find that it is a very long time to go till one; we cannot get luncheon.

6267. I am speaking of the law by which public-houses are now closed at one o'clock a.m. throughout the week?—As I am in the news trade and have to be up early in the morning, I really know nothing about public-houses being open at one o'clock in the morning.

6268. Then you do not know whether it has worked well or not?—I can say this: I can fully agree with this opinion expressed by Poole's men that the public-houses on Saturday night are very full and very noisy; I can hear that when passing them.

6269. You

6269. You are aware that for the last four years all public-houses must be closed at one o'clock in the morning; are you able to say whether you think that that restriction has been beneficial or otherwise?—I am not; as I know nothing of it I should not like to express an opinion.

6270. Supposing that there is evidence before the Committee that great order had been produced by the closing at one o'clock in the morning, and that a great deal of disorderly conduct had been put a stop to, should you say, accepting that evidence as true, that you thought that the change was beneficial?—I must qualify my answer again; really I am speaking only on the part of working men, and working men have nothing to do with public-houses at one o'clock in the morning.

6271. You think that that is an hour at which the habits of the working classes are not interfered with by such restrictions?—Certainly not.

6272. And that, therefore, if it represses disorderly conduct, the objection that you stated to this Bill would not apply?—Certainly not; I believe it is more fast young men and ladies of a certain description who are affected by the one o'clock closing.

6273. Do you think that the present restriction by which the public-houses must not be opened on Sunday morning until one o'clock in the day is a good restriction?—I answered that when I misunderstood your question before; I say that I and my class are occasionally inconvenienced by the present arrangement; if I have to get up at five or six o'clock, and get out into the country, I do frequently find that I want something before one o'clock, but we put up with it; we say that on the Sunday morning the publican does want, and his family want, to clean up, and they want a little rest, and that kind of thing, and, therefore, we say, as reasonable beings, we will not study ourselves so much in this matter, but let the matter stand where it is.

6274. The public-houses are now closed during what are conventionally called the hours of afternoon church, between three and five; do you think, and do you believe, that the working men generally think that that is a fair restriction?—In London I do not think that there is the slightest inconvenience from their being closed at those hours, and in the country you see there are such different arrangements about divine service; if I go to Hampton Court and go into a public-house on this side of Hampton Bridge, when the clock strikes three I am turned out, when at that time I may just have had my glass of ale put into my hands, but if I cross the bridge the houses are open the whole afternoon.

6275. *Mr. John Abel Smith.*] Why is that?—Different parishes or different magistrates, or something or other of that kind.

6276. *Chairman.*] Do you say of your own knowledge that that is the case?—I do; when I said Hampton Court I should have said Kew; on the Middlesex side of Kew the houses are shut punctually at three; I have had it happen to myself; I have called for a pint of ale with my family, and no sooner have they put the ale into my hand with one hand, than they have said "Gentlemen, it is three o'clock, and we are going to close;" on the other side of the water, the "Rose and Crown," and various houses that run down to the river, and all the houses in Kew, in fact, are open the whole afternoon.

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6277. That must be from laxity on the part of the police, is it not?—I think not.

6278. We need not discuss that, because it must be an accident; we will treat it as if the law was that the public-house should be shut between three and five?—Allow me to say that it is an accident which it is very common throughout the country, because there are a number of other places that I go to where I can get a glass of ale before one o'clock and after three o'clock, but there are other places where I cannot.

6279. In the country the law is, that the public-house is open at half-past twelve, but we will not mind about those peculiarities, because I want to ask you your opinion with regard to the working of the law with which we are best acquainted, namely, the houses being closed from three to five; is there any difference in the class of the houses on the two sides of the river, that shut and that keep open?—No; none whatever.

6280. You say that the working men acquiesce on the whole in the shutting of the houses from three to five in the afternoon for the same reason that they acquiesce in it in the morning?—Yes.

6281. Supposing that it was not proposed to shut the houses altogether for the consumption of drink on the premises, but only to restrict a little further the hours during which they might be opened, and that a man should be able to buy liquor and consume it on the premises between one and three, as now, and again at night between 8 and 10, or say that it did not go quite so far as that, but that it left them open for three hours in the evening, but still gave the publican a little more rest and restricted the hours, do you think that perhaps on the whole the working classes would acquiesce in it?—It seems to me that that would be no gain to the publican while seriously in many cases discommoding the public, because if you are to compel a man to open half an hour during every hour throughout the day he might just as well be open all the time.

6282. I did not say that they were to be opened half an hour in every hour?—No, but it is the same argument.

6283. Do you think it is the same whether the publican opened for a half an hour every hour, or whether he opened for two hours at one period of the day and three at another?—I think that if he is obliged to open for two or three hours during the day he might just as well open altogether, so far as himself is concerned. He would not care for that matter, for the sake of two hours in between, whether he opened or not; in fact, it would not be worth his while.

6284. Surely, then, the rest he has now up to one o'clock and between three and five would be of no value to him according to that argument?—I do not know about that; it is, perhaps, long enough for him to have an afternoon's snooze, but what his habits may be I do not know; I have not so much to do with publicans as I have with my own class.

6285. You have stated your opinion with regard to the publican that from three to five is only just long enough to give them an afternoon's snooze; but supposing that the hours of closing were from three to eight, that would give him time to go out and have a walk, would it not?—Unquestionably it would; and as far as London is concerned I do not know, taking my own experience,

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perience, that I want anything from my dinner until my supper; that is my own practice, but that is in London; and it is when I get into the country that I feel the inconvenience; it is there where the Londoner feels it. And you must bear this in mind (I have not the statistics with me, but they have been taken), that there are about a quarter of a million of people who leave London every Sunday for Hampton Court, or the different seaside places and country resorts.

6286. They go very much to the same places every week, do they not?—Of course they visit them all in turn; they all endeavour to do so as far as their means will permit. This last year or two has been such a bad season for business that the railways no doubt have not found it so profitable, because there is only a certain amount that the working class can spend upon those kind of matters, and that amount is only realised after the living expenses. If a man has a bad season for business and for work, one of the first things that he is obliged to deprive himself of is his Sunday excursion.

6287. Still, excursionists frequent certain places, do they not?—Yes; Hampton-court, Kew-gardens, Brighton, and so on.

6288. Then there would always be certain public-houses in those particular towns which have what is called a Sunday business?—Yes.

6289. And people who knew that they were resorted to by regular travellers, would know that they must keep open their doors; but there would be a great number of districts, would there not, which are not so resorted to, where, if a publican was only required to keep open for certain hours in the day, he would make a holiday of it?—I think I have pointed out what seemed to me the main difficulties in the way. It is possible that a public-house just immediately adjoining a railway station, for instance, would open, and would have a person at the door for the traveller to show his ticket as he entered, to prove that he was a traveller. That might be so in the case of a house immediately contiguous, and they might expect to do a considerable business; but I am quite certain it would not be the case in the case of retired houses.

6290. And then the traveller might be inconvenienced?—Yes, undoubtedly.

6291. I presume you do not undervalue the evils of drunkenness?—I do not; and, more than that, a number of gentlemen on the list of vice-presidents of the Alliance are known to me, and I am known to them, and I should be very sorry to do anything that would promote drunkenness, but I believe this, that a measure of this kind will have a very evil operation. I mentioned, at the outset, that I have been a housekeeper, and have had lodgers, and amongst those lodgers I have had young goldsmiths coming up from Scotland, men in my own trade, and I had a sort of little colony of them at one time in my house; and what was their mode of spending Sunday? They laid in bottles of whiskey on Saturday night, and other Scotchmen in London came to them, and there they boozed the whole of Sunday, perhaps, in my place, and then the next Sunday the lot of them would go to one of the other lodgings, and they would booze there.

6292. Those were habits which they brought up with them?—Yes, those were habits which they brought up with them from Scotland.

6293. Mr. Knatchbull-Hugessen.] As I un-

derstand your evidence, you think that restriction has reached the point at which it can be useful?—Yes, I do.

6294. And that carrying it any further would lead to an evasion, and defeat the object which the promoters of that restriction have in view?—I do think so. You have expressed my views precisely.

6295. Mr. Yorke.] You said that you had considered the question of opening places of public resort on Sunday in order to compete with the public-houses. Is it your opinion that if the Crystal Palace was open on Sunday, and there were bands of music in the parks, they would compete in favour of temperance?—I am quite certain of it; and it has done so to a very large extent.

6296. Is there a band of music in Battersea Park, at this moment, on Sunday?—Yes. If you will allow me to read this paragraph at the end of a petition, which was presented to the Honourable House of Commons, in the year 1855, it will answer your question: "It must be evident to everyone who walks through those parts of the metropolis inhabited by the poorer portion of the people, that the present prohibitory system of Sabbath observance has utterly failed to effect the moral regeneration of the people; nay, even helps further to demoralise them. If a freer and a better system prove unsuccessful in reforming the old, it will yet do something for the young. It is our deliberate conviction, that a large proportion of those who, Sunday after Sunday, habitually pursue a course of degradation and vice, would have been saved from a condition so deplorable had opportunities been offered them in youth of studying the wonders of nature and the beauties of art. It is the constant familiarity with beautiful forms which is the simplest and most effective teacher of all that is graceful and applicable in art; for it is through the eye that the perceptive and moral faculties are most easily reached, and such visual education would be the most practical means of rendering our working population not only more elevated in artistic taste, but more intelligent as citizens, and in every way better as men." It is 15 years since that was printed, and the more I have seen of society the more convinced I am of the soundness of the views put forth there.

6297. Do you believe that there is in the working classes any feeling so sensitive as to the observance of Sunday as to be shocked by the increase of such things as bands in the parks and the opening of places like the Museum and the Crystal Palace?—I think that but for the fact of the vast crowds attending those performances, Sunday after Sunday for the last 13 years, they would have been suppressed if it had depended upon petitions to the House of Commons; but there you have a mass of living *bonâ fide* human beings that no amount of petitioning can misrepresent, and it is my firm belief, that if every question now occupying public attention and before your Honourable House affected by the Sunday question, could be tested in the same way by gatherings of the people, the question would very soon be settled. But we know that we have in this country a powerful organisation with agents in most pulpits throughout the kingdom, and we know what they can effect. I should like to call honourable gentlemen's attention to the Report of the Select Committee of the House of Commons, in 1854. I do not know whether the honourable gentlemen

gentlemen ever saw that Report; it goes over the very ground that we are now taking.

6298. *Chairman.*] Did you mean by the answer which you gave just now, to say, that you think that there is an agent of the Sunday closing association in every pulpit?—Generally speaking they go together on all these questions in opposition to the opening of national institutions and in favour of closing; they are usually the same parties.

6299. *Mr. Locke.*] What pulpits do you include to?—All pulpits that are influenced by the Lord's Day Society; the evangelical pulpits.

6300. You do not mean to say that all the pulpits in England are under the influence of the Lord's Day Society?—No, I know they are not; has been my pleasure to know and to converse with ministers who are not.

6301. Then you do not mean all the pulpits?—No.

6302. But only the Lord's Day Society pulpits?—Yes, that is all. Will you allow me to say that, in conversing with clergymen who have expressed their opposition to the Sabbatarian doctrine, I have asked them why it was that they did not come out and give some public expression of their opinion, and I have been answered in this way: that they had no desire to be crucified in the "Record" newspaper. You will understand the meaning of that.

6303. *Mr. Yorke.*] One of the objections against the introduction of such things as you have mentioned is, that a number of persons would be required to watch the Crystal Palace, and take care of the parks, and that an increased number of police would have to be employed; has that objection any force in your mind?—In that case I have also taken some little trouble. Police are on duty in the Crystal Palace every Sunday, though it is open only to shareholders, the park keepers are also on duty in the parks. I have conversed with the attendants, and with Dr. John Gray, who is one of the heads of departments in the British Museum, and I find that if the British Museum were to be opened on Sunday the police would do the duty, and the attendants could not be called upon at all. In the next place there is a sufficient number of reserved police always to do that duty without calling for any increase of labour.

6304. Then I understand that, in the first place, you think that no further measure of Sunday closing is required, and if it were required you would prefer to adopt such measures as closing the Crystal Palace and the Museum, and having bands in the parks on Sunday to compete with public-houses rather than to resort to coercion?—Yes; I have received a letter from Paris, and it is the evidence of the Commissaires de Police of the Arrondissements with regard to Sunday in Paris, in which he says that the police on Sunday have to take two arrondissements instead of one; so that one-half of the force is at liberty every other Sunday, there is so little for them to do; and he says that even with half the number there is really nothing for that half to do, and that crime in Paris is unknown on Sunday.

6305. *Mr. Locke.*] What reason does the letter give for that?—On account of the recreations of the people.

6306. What is the name of the gentleman who wrote the letter?—This letter is communicated from the firm of Bassot Brother, Rue de Cloître, 6.69.

St. Jacques, and it is addressed to Mr. J. P. Turner, of Birmingham and London, merchant. Perhaps I may be allowed to add, as a supplement to that, that during the whole of the performances of the bands in the parks, now for 13 years, there has not been a single police case that ever came before the magistrates, arising out of those bands. I know that for a fact; I have been in the parks 11 Sundays at least out of every 13 during the 13 years that they have played, and that is my personal knowledge.

6307. From your own experience, you know that in consequence of those recreations on the Sunday, the duties of the police, instead of being greater, have been lighter?—Exactly so.

6308. *Mr. Yorke.*] Has there been any drunkenness in the public-houses in the neighbourhood of the parks?—I am much obliged to the honourable Member for putting that question, because it is a very common assertion of the party to which I have been in opposition, to point to that, and say, look, here is the result of the playing of the bands, that the public-houses all round the parks are full; I admit that they are full for half an hour from the very cause that I spoke of earlier in my evidence, namely, that coming a long distance to the park, and promenading the park, and then having to go home, they go in to have a glass of ale; but I say this, and I have tested it over and over again, that if you go into those houses an hour after the closing of the band they are deserted; parties have been in, and have had their glass of ale, and are on their road home; and until it can be proved to me that it is a crime or anything wrong to go in and have a glass of ale, I maintain that they are legitimate, and right in a general way to have their glass of ale.

6309. You mean that the indulgence is used moderately?—Yes; I have heard this over and over again, that publicans at a distance from the bands, have said that they would give 5*l.* at any moment if they could shut up the bands; it is just merely those immediately surrounding the park which catch the visitors who go in and have a glass of ale before they return home.

6310. *Mr. Berkeley.*] Do you happen to have seen a paragraph going through the press, a copy from a Boston paper, in which the editor remarks that he has been in Paris during the Great Exhibition, and asks the question why so many more cases of drunkenness are to be found in Boston every Sunday, than were to be found in the great metropolis of France; in Boston the houses being absolutely hermetically sealed, and in Paris, on the contrary, the population doing what they please?—I have not seen that paragraph, but as almost every question that has been asked of me has brought something to my mind bearing strongly on this question, so has this gentleman's remark; I have alluded more than once to the establishment of Messrs. Drayson & Burwash, in which I was for so many years; and I may now say that in that establishment probably one-half, or about half the workmen, were always foreigners, not always the same men; they were continually changing, but those men I always found to be vastly superior in their intellectual acquirements to our own class of workmen. There was not one of them but who, if asked, could go into the counting-house, and sit down and make a drawing, and there was not one of our own workmen that could do that; I may say that in their bearing altogether there was a superiority, they were gentlemen, in fact.

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6311. Mr. *Roebuck*.] How do you connect them with this Bill?—Mr. Berkeley asked me about this drunkenness abroad, and I answered that those men were so trained, and so superior in culture, that they never got drunk; you would not see them drunk here, and therefore I should imagine that when they were in their own towns on the Continent, they did not get drunk there.

6312. Mr. *Locke*.] Although they have every opportunity of doing so if they chose?—Yes; it was the superior education; and I may say that you will not get rid of the drunkenness in Drury-lane and the Seven Dials districts of which I spoke, and similar districts exist all over the metropolis, except by the compulsory education of the children of those costermongers who are spending that money in drink which ought to be devoted to training their children, and who are utterly indifferent how those children grow up, and when they grow up you have got a crop of criminals and blackguards that are a trouble to the country.

6313. Mr. *John Abel Smith*.] You have referred, have you not, to the Report of Mr. Villier's Committee in 1854?—Yes.

6314. And you have referred with approval to the recommendation of that Committee in favour of opening public museums and other places on the Sunday, as one means of stopping drunkenness?—I have.

6315. Are you aware that in the same Report they recommend the shutting up of public-houses, except between the hours of six and nine in the afternoon?—I am not aware of that. I have not the Report in full before me.

6316. Though you approve of the one, you would not approve of the other recommendation?—I have stated so fully my views before the Committee, that I think you may judge that I certainly should not be in favour of further restrictions than are at present imposed.

6317. But you are aware that that Committee of which you speak so highly, took a totally different view from yourself upon this subject?—I am only aware of it as far as you tell me; I am not aware of it myself.

6318. I think you belong to a body who are called the Recreative Religionists?—I do.

6319. Is that a religious body?—Yes.

6320. Have they any peculiar tenets?—Had I any knowledge that you were going to put that question, I would have put a paper in my pocket explaining the views that they entertain with regard to religion.

6321. I do not want to trouble you about any detail; but with you the opening of the parks is not only a social and moral question, but a religious question?—Undoubtedly; religious as we from our point of view of religion think it. Of course, so many constructions can be put upon religion, that what is regarded as religion by one class, is regarded as sacrilege by another, and I was going to say as damnation by another.

6322. And amusement for the working classes on the Sunday, is one of the tenets to which you attach value?—No, I beg your pardon; the bands in the park are certainly amusements chiefly; but we regard the bands in the parks as of very slight value compared to the opening of the national institutions. I do not know that we should ever have had anything to do with the bands in the park but for the fact of a certain Minister of the Government placing bands in the park, and a certain party by their influence

obtaining the removal of those bands, which led us in our official capacity to step in and take the part of the defenders of the public right; but we do not consider the bands in the park of so much value, except this, that it brings a large number of people out into the fresh air; it gives them innocent recreation for two or three hours, and it certainly keeps them out of the public-house while they are there; there is no question about that.

6323. What I want to understand is, how far your opinions on these matters bear upon the evidence which you have given before the Committee; what does the doctrine of the Recreative Religionists mean; do you mean that it is a religion, or what?—Recreate we hold in the sense of to renew, to give new life, to recreate.

6324. Mr. *Baines*.] Is it a registered sect of religionists?—Yes, registered at Somerset House by that name.

6325. *Chairman*.] It is a sect just as the Independents, and the Society of Friends, and so on.—Yes.

6326. Mr. *John Abel Smith*.] Is it a numerous one?—The actual members were not so numerous but we had a very large number in our congregations; in fact, so large that it was thought worth while by certain parties to attempt to put them down, and the case is now being tried in the Court of Common Pleas, in Westminster Hall whether people have a right to go to a certain room on a Sunday evening and hear discourse on nature, and the wonders of the creation accompanied by music.

6327. Have you ever been threatened with prosecution?—Prosecution, as I mentioned, has been begun, and is now going on.

6328. On the ground of its being utterly irreligious?—As being opposed to certain Acts of Parliament.

6329. Is that with respect to what arose in St Martin's Hall?—Yes.

6330. Who belongs to the society?—Mr. Baxter Langley is the president of it, and he is the defendant in the action which is now going on in Westminster Hall.

6331. Mr. *Locke*.] What gentlemen attend those meetings?—A very large number of gentlemen; a series of lectures were delivered by Professor Huxley and Dr. Carpenter.

6332. Mr. *John Abel Smith*.] Those are the gentlemen who compose your body?—Yes.

6333. They are Recreative Religionists, are they?—I do not say that those gentlemen are those gentlemen attended on certain evening and occupied our pulpit, if you will allow me to call it so, at our invitation, but they were not bound to join the association in doing so.

6334. They have not joined your religious body?—Not all of them; some of them have. I have not a list of the members by me to point out their names.

6335. Is it not the suit in the Court of Common Pleas with reference to the money paymaster at the doors?—That is the ground put upon by the opposition.

6336. But has the question of the tenets held by the body to whom you belong ever been brought forward in a court of law in any way directly or indirectly?—I believe that this is the first case in which the question has arisen; I believe that the lawyers have found that there is no precedent in the matter, and no case to go upon; it is the first time it has been raised.

6337. Mr.

6337. May I repeat the question; has the question of religious opinion, or of opinion in reference to matters of religion or worship, been stirred or moved in any possible way in the courts of law?—It seems to me that the papers have been pretty well full of it for the last few years, as to whether you should have candlesticks or not candlesticks, and other forms and ceremonies to which some attach importance, and which others would restrain.

6338. You say that Mr. Wilson, who is foreman at Poole's, has taken the opinion of the working men at Poole's?—Yes.

6339. Do you know on what point he took it?—On the question of closing public-houses on Sunday altogether.

6340. Then, he did not take the opinion of those working men with reference to the Bill?—No; that was not the question.

6341. But you did not say that before?—I beg your pardon. I read the question: "Question of closing public-houses on Sunday put to the 300 men employed on the premises of Mr. Poole, tailor of Saville-street." I may say that he wanted to take it upon the Bill exactly as it is, but that he found that it involved such a deal of discussion and conversation that the question was put in this simple form, without entering into any details as a question of closing altogether on Sunday or not.

6342. Their opinion upon closing altogether had no direct bearing upon the question whether this Bill is desirable or not?—It had so far a bearing, that I think if you were to send in any paper, and take any vote upon the question, you will find that 291 will still be against the Bill.

6343. That is a matter of opinion, but not of knowledge?—It is a matter of opinion, of course.

6344. You referred also to some statistics relative to St. Pancras some seven years ago; are you speaking from report, or from any knowledge of your own?—I am speaking from my own knowledge, that I went to the Alliance offices, and I found that the returns were given of men who were in favour of restriction, but the whole of the other residents who were in favour of the present system were treated as neutrals, whereas, in reality, they were every one opposed to further restriction.

6345. Are you quite sure that that was a canvass made with reference to restriction?—I am sure it was, for there were papers put into every house.

6346. Would you not be surprised if you were told that there never was any canvass about restriction?—I should be surprised when I saw the papers myself, and had the whole thing before my own eyes. I should tell the party, whoever he was who told me so, that he was stating what was not the truth.

6347. Do not you think you have made a mistake, and that it was a canvass on behalf of the Permissive Bill?—I cannot say, really, if you enter into details; it was seven or eight years ago; it was the same kind of thing; it was the Alliance party who got it up.

6348. What did they canvass for; what did they ask people's opinion upon?—It was in favour of restrictive measures, with regard to the Sunday.

6349. What do you call restrictive measures; do you call the Permissive Bill a restrictive measure?—If the Permissive Bill was to be carried by such machinery as I see in operation for

carrying this Bill, I should say that it would not be a Permissive Bill on the part of the great majority of the people.

6350. Is that an answer to my question; I asked you whether or not, you think that the canvass for the Permissive Bill can be called a canvass for further restriction?—I do, certainly.

6351. And that was the only canvass that they have ever made in the parish of St. Pancras?—It may be as you say, that it was with regard to the Permissive Bill. I only know that it was one of those measures which I call of a restrictive nature upon which I spoke at that meeting. You must be aware that many things have passed through my mind since, and what particular Bill it might have been in favour of I cannot exactly say.

6352. You do not see any inconsistency in your answer, though you admit that it is possible that you made a mistake, and that the canvass was in favour of the Permissive Bill and not of further restriction; but still you adhere to your statement?—I think that you and I look at the Permissive Bill from a different point of view. To me it seems that we have a Permissive Bill at the present time, and that is, that all who do not want to take anything, are permitted not to take it, whilst those who want to take it, are permitted to do so; and, therefore, we have a Permissive Bill at the present time. I think that to allow anything that shall show by statistics, or anything got up in the same way, as I have seen so much of by parties in supporting this Bill, an appearance would be given to it as if the majority of the people were in favour of it, whilst in reality they were not.

6353. But your statement with regard to that canvass is inaccurate, is it not?—No, I do not admit that it is.

6354. Although you state an object for the canvass other than that which existed?—I cannot answer anything further than that you and I take different views. I say that it was a restrictive measure, and you say that it was not.

6355. With regard to excursions you stated, did you not, that there were 250,000 excursionists carried every Sunday?—Yes.

6356. Can you explain to me if that is true, taking the case of the South Western Company, who carry people to the quarters to which you particularly alluded; Kew, Hampton Court, and other places of that sort, why there should be exactly half as many trains on Sunday as there are every other day in the week?—I can; because for a number of years past the different boards of directors have been so dunned and badgered by a number of gentlemen who wish to suppress the excursions, that for the sake of peace and quietness they have in many cases withdrawn the Sunday excursions. And another thing is this, I had the evidence only this last week of a gentleman connected with one of the railways, to whom I put a question about the discontinuing of those trains. I said, "I see the Lord's Day Society are boasting that they have influenced you to suppress Sunday trains." He said, "It has nothing to do with the Lord's Day Society; it is simply this, that the company believed that a considerable number of the public made the Sunday excursion trains available to do business which they would have gone to do at another time, and they were simply losing their ordinary traffic by the Sunday excursions, and they thought they would do without them."

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6357. But

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6357. But in the face of that fact, that the Sunday trains on the South Western Railway are one-half what they are on the other days of the week, do you still adhere to your statement that there are 250,000 excursionists?—Yes; I do so far as can be judged by the fact of the numbers reported in the press at that time, some eight or nine years ago. However, I believe that you will have that more fully before you by returns from the railways before you have done your sittings, and therefore I do not like to speak too much upon subjects in which I am not thoroughly at home.

6358. Practically you know very little about it, I suppose?—I know that it was given in the newspapers at that date, that 250,000 people were out on a particular Sunday, as ascertained by a number of gentlemen who organised themselves as a staff and went to the different railways and inquired. But I should like to put against your remark about the decrease on the Sunday, the number of attendants at Kew Gardens and Hampton Court on a Sunday, because it is evident that they must get there somehow, and it is very singular that the number of attendants on the Sunday are equal to the attendants of all the other six days put together. Therefore, if a less number of trains run, they must get there by other means. It does not matter how they get there; the people are there, as shown by the returns from the curator of the gardens.

6359. Has there been, or is there, any allusion to excursionists in the Bill now before the Committee?—As I have not had the Bill before me, that is a question which I cannot answer.

6360. But have you not answered it?—I have not; it is sufficient for me to know the particulars of the Bill, and what it will effect.

6361. Do you mean to say that you have come here to give evidence against a Bill which you have not read?—I know all the effects of the Bill; I know what it is to do. Probably some honourable gentlemen have not waded through all the Acts of Parliament.

6362. I thought you said to the Chairman that you had read the Bill?—Then I did not understand the question. I have not read the wording of the Bill, certainly, as printed for the House of Commons; I have read all the particulars of what it is to effect.

6363. Will you be so good as to state what you believe it to be?—It is to prevent persons from being served with refreshment, except during certain hours, in London, and that the liquors are only to be drunk off the premises.

6364. And what other provisions are there with regard to travellers?—That a *bonâ fide* traveller is to be served; but that I explained earlier in my evidence.

6365. And is there anything else?—I do not see anything else, but that the public-house is to be open to a traveller, upon his proving his being a traveller.

6366. Is there any difference with regard to London and the metropolitan district and the rest of the country?—I do not know.

6367. Is there anything with regard to Sunday bands in the Bill?—No, not that I am aware of. I do not think it probable. I have seen nothing to that effect.

6368. There is nothing that affects the success or the interruption of the Sunday bands?—I beg your pardon. I have given you evidence that it would very greatly affect the persons attending

them being able to get a glass of ale on leaving the band, previous to their return home.

6369. Then the success of the bands depends upon the people having some beer?—No; it is not in my mind a question of the success of the band; the people will probably go there whether they could get a glass of ale on their way home or not; but it is a question of their being seriously inconvenienced.

6370. You stated, I think, that you had a brother-in-law who signed five petitions?—It was a relation on my wife's side.

6371. Can you tell his name, and where he lives?—As I told you, it is a distant relation; if you wish to have his name, I will ascertain it, and forward it to the Committee.

6372. I should like to hear his story about it very much?—I said that it was a distant relation, and so it was. It is a party that I very rarely see; but I could get it, I have no doubt, and forward it to the Committee.

6373. *Chairman.*] Would you have any difficulty in giving his name?—I do not know that I know his name; it is a distant relation upon my wife's side; and I very rarely see him.

6374. *Mr. John Abel Smith.*] When did he tell you this?—This is some years ago.

6375. Then it was not with reference to the petitions which have been presented against this Bill?—No, not against this Bill; I only gave it as an illustration of the way in which petitions are got up.

6376. Will you be so good as to tell me who, amongst the various gentlemen who have given evidence before this Committee, stated that excursionists are in the habit of coming home drunk?—I do not know that that has been stated in evidence at all, but such is my belief.

6377. You said that you had looked over the evidence, and had seen that that fact had been stated?—I think you will find on reference to the notes, that I said the Sabbatarian party were continually putting it forward in pamphlets and in other ways, that such was the case.

6378. Do you mean to say that I have made another mistake so remarkable; I thought you said so, most decidedly?—I have not the evidence before me of every gentleman who has given evidence before you.

6379. *Chairman.*] You state that it is your impression?—It is my impression that I have read it in looking over the evidence before this Committee; but you will understand that my reading the evidence is confined to perhaps a quarter of an hour looking over the Alliance once a week, and that I have such a vast number of other things occupying my attention that I am not able to note down everything with that particularity which these gentlemen would require.

6380. *Mr. John Abel Smith.*] If you stated that it was somebody who made that assertion before this Committee, I imagine that you have seen it in the evidence. Do they ever sell any beer in Battersea Park at the time of the bands?—No; they sell tea and coffee, and ginger beer, and so forth, and pastry, but they do not sell beer.

6381. Are you quite sure of that?—I am quite sure of it.

6382. Do they not sell beer at Cremorne?—Undoubtedly they do; that is a public-house.

6383. Do not people, therefore, come to a place where they do not sell beer in preference to a place where they do?—Some of them, of course,

course, because they do not want beer at those hours; the persons who go to Cremorne are a different class; they are not so far advanced in their ideas; in fact, they are mainly the fast classes of society.

6384. But still you think that the well doing of the bands depends upon people being able to get beer?—No, certainly not; I say that people do not want beer between those hours.

6385. But they do after the music is over?—Yes, after the music is over, certainly.

6386. And therefore they will not come unless they can get beer after the music is over?—No, I do not say that.

6387. Do you not apprehend that people would be prevented from coming to those bands if they could not get beer; at least, I understood you to say so?—No, I do not; I say most distinctly that I do not believe that their being able to get a glass of beer or not would affect their attending the bands in any way; but I say again, on the other hand, that it would be positively annoying to them not to be able to get a glass of ale when the bands were over.

6388. What I understand you to say is, that you are afraid of the disappointment which the people may experience, but you do not think that it would injure the attendance on the bands?—Certainly not.

6389. You stated, did you not, that for many years you have been occupied in promoting temperance in London?—I said movements of a progressive and temperance character.

6390. I do not know what you mean by a temperance character, unless you mean temperance?—I mean temperance. There again there are various constructions to be put upon that word as upon religion. A man may be temperate, and I consider myself a temperate man, but then certain gentlemen who are downright teetotallers would not; they would say "No, you cannot be temperate unless you are altogether a teetotaler." We take such a different view of this, that I cannot agree with you at all.

6391. My object was not to invite you to give us an essay upon it, but to enable me to understand what your answer was; what do you mean by saying that you have been promoting temperance for years?—I say that if the national exhibitions were open on Sunday, the habits of the people would be altogether improved, and they would become temperate in all things. I consider that there are as great intemperate men among teetotallers as there are among my own class. Men would be able to study, and they would acquire knowledge, and they would learn to use without abuse. I do not wish to give another essay, but really I think that what we have to learn most in all these questions is to bear and forbear, to take what we want ourselves, and let other people have what they want, unless it is something positively injurious to the morals and state of society.

6392. Then the temperance that you have been preaching is a temperance applying to other things besides drink?—Yes, to other things, to temperance in all things.

6393. Then this Bill has very little bearing upon that; have you ever in the furtherance of your objections against restriction, appealed to any general feeling or expression of union amongst the working classes; have you ever had a public meeting of any sort upon the subject?—No, nor do I know of any organisation to get up

such a thing. Public meetings are not got up without organisation to get them up, and there is no organisation that I know of in opposition to the Alliance.

6394. Are you aware that there was a public meeting of working men called by the Lord Mayor, in the City of London?—I might have read of it at the time, but if I did, it has escaped my memory.

6395. In your pursuit of temperance, you did not attend that meeting?—No; I have attended meetings called by the teetotal party, and I have asked to speak, and been refused sometimes. Sometimes it has been said that I should speak, and when it has come to the time, they have said, "Oh, they forgot to call me."

6396. Do you call a meeting called by and presided over by the Lord Mayor, a teetotal meeting?—It was a ticket meeting, which those meetings generally are.

6397. But it was not if the doors were open?—If the doors were open; I should say what I know to be the fact, that the working classes look upon it in this way: they say, it is only a teetotal meeting, I shall not go to it. If you want a meeting to get at the fair and full expression of the opinion of the working classes, must be something like the votes on the paper that I suggested in the earlier part of my examination, that is, taken by a party above the partisans on either side, and done in such a way that all parties shall be assured that it is a fair and candid expression of opinion.

6398. Do you believe that the canvass of the large working establishments in London is a fair way of getting at the working men's opinions?—I believe so, if it was done legitimately and fairly.

6399. Do you know that there was a very large meeting held some time ago in the Lambeth Baths, which was attended by 3,000 people?—I know something of the Lambeth Baths, and I was once in one of their meetings, but never wish to be in another, because one of the party who had ventured to say something in opposition, had his coat torn right up the back.

6400. Have you done nothing of that sort on your side; have you never made any attempt at the Lambeth Baths or elsewhere to get up a meeting?—As I said just now, there is no organisation in opposition; I am connected with a number of associations, as you know, and we are persons of all shades of opinions, agreeing upon these particular subjects; we have, for instance, on our subscribers' list for the opening of the national institutions, persons who are subscribers to the Alliance, and, therefore, the National Sunday League, for instance, could not take up a question of this kind for opening or closing the public-houses; if we did we should cause a division in our own party; we are simply persons of all sects and shades of religious opinion; and, with regard to teetotalism, or not teetotalism, persons of all opinions come together, agreeing upon the necessity of national recreation on the Sunday, and we cannot depart from that to call a meeting in support of or in opposition to this Bill; nor is there any other association or organisation in London to do such a thing, and, as I said just now, public meetings are not convened, and not got up unless there is an organisation to do it.

6401. Then I will sum up my cross-examination by putting these questions to you; do I understand

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derstand you rightly to say, first of all, that you are against further restriction?—I am.

6402. Secondly, do you believe recreation on Sunday to be the great regenerator, both morally and socially, of the working classes?—I consider it a very valuable agency in that direction, but I think that you are attaching an importance to my words which I did not intend.

6403. I only want to get hold of what you really mean to state as your opinion?—If you will allow me to answer that question in this way: I have had evidence before me as to the beneficial effects of the opening the Glasnevin Gardens in Dublin; and I do not believe that even the Lord's Day Society would venture to attack the opening or attempt to get Hampton Court or Kew Gardens closed; I believe that whenever recreation has been tried, all experience tends to that point, that all brutalising sports have been banished, and that improvement in the people has taken place just in proportion as rational recreation has been brought within their reach.

6404. You believe it to be one great instrument which is to be supported and encouraged?—I believe that it is one that, so far as experience has gone, teaches us is the right course of action, rather than coercion, which, I am quite certain, will have a very different effect to what is supposed by the promoters of the Bill.

6405. When you say by the promoters of the Bill, what have the promoters of the Bill said against recreation?—I say that the coercion entertained by the promoters of this Bill would have an effect the very contrary to what is intended.

6406. At what hours are public-houses to be closed, in considering the convenience of the working men?—I think that the present hours are very good. In the summer time, take for instance now, it is frequently the case that excursionists cannot get home till after 11, but that is only just during the long days; the fact is, that the working classes, when they get out for the day at this time of the year, the days are so long, and they are so elated, and so free and joyous in the country, that they cannot help remaining till dark begins to set in, and they find by the time they get home, that perhaps it is past 11; and after the enjoyment they have been experiencing, they are suffering inconvenience in having to get their supper without their supper beer, and I do not, however, wish that the law should be altered in that respect; I say, let matters be as they are.

6407. Then 11 o'clock, although it is a restriction, you accede to?—Yes, I do; I consider, as a reasonable being, that we ought to consider the conveniences of others.

6408. Do you think that 10 o'clock would be too early?—It would be too early, I am quite sure; I had quite proof enough of that in the short time it was in operation.

6409. With yourself, or with others?—With my family; we have been, as I have mentioned, in the railway station carriage; the station has been blocked, and we could not get in when the clock has struck, or we have been just perhaps five minutes too late on many occasions.

6410. Did you try to get a glass of beer at the refreshment rooms at the station, if you could not get it elsewhere?—I cannot say that the working classes, generally speaking, patronise those places much.

6411. If you wanted a glass of beer so badly,

why not have gone in there?—We might, but it would not do with a family; a family want to have their meals at their own table.

6412. You supped after you came home, did you not?—Yes.

6413. And you could not have got the beer before?—You could have had the beer first, and supper after, but that would not be like having beer with your supper.

6414. Could not you have got the beer the day before?—That is one of many other things that you could do, but it is one thing that I should never do of my own choice; I am not an admirer of stale beer myself; I think that the most dull and flat thing imaginable is stale beer.

6415. There are others who think so as well as you; but would you not be enabled to get over that difficulty?—Of course we might have bottled beer, but we should want three or four bottles of bottled ale for a family, and we could not run to that; there would be a very great difference between the prices; a pot of beer, or a pot of porter, would be 3½d., whereas two or three bottles of ale would be at the rate of about, I suppose, 10d. a bottle.

6416. Mr. Knatchbull-Hugessen.] I have found the evidence in which the witness stated before this Committee, that there was a great amount of drunkenness amongst excursionists. This question was asked by Mr. John Abel Smith of the Rev. G. W. M'Cree, at Question 6173,—“Would you allow excursions on Sunday?” to which he replied, “That is a question which perhaps I am not called upon to decide at this moment; I may say that, as a whole, I believe that the Sunday excursion is not beneficial to the morals of the working men; and that anyone who will stand at the railway station, say from 9 till 11 o'clock, will see that a very large number of those excursionists come home intoxicated; and I may also say, that I have been in the habit of going to the Bow-street Police Court, and hearing the Monday morning cases, and I have heard men deplore that they went into the country, and got drunk in a public-house, and got into mischief and trouble.” Was that the evidence to which you referred, when you stated that it had been stated before this Committee that there was drunkenness amongst excursionists?—Yes; I have read Mr. M'Cree's evidence, and I have read Mr. Murphy's evidence, and Mr. Potter's evidence, and many others.

6417. Mr. John Abel Smith.] Who was Mr. M'Cree?—One of the recent witnesses on the last sitting of the Committee, and I particularly noticed his evidence, because I often pass through his district. I passed through it yesterday afternoon, and I thought of him and I thought of the Committee; for there in Seven Dials there were a large number of women sitting without bonnets on, and you know the particular style of dress, and a lot of the labouring costermonger class, and a lot of barrow-men with cherries, all of them bawling and hollowing, which was their mode, I suppose, of enjoying Sunday afternoon, and I could not help feeling a wish that they had a sufficient amount of education to teach them a better mode of spending their Sunday afternoon; and that was just outside Mr. M'Cree's chapel door.

6418. Mr. Baines.] Have you read the evidence of Mr. Leicester upon the subject of the opinion of the glass-blowers?—I glanced at his evidence,

vidence, but I could not say that I have read it full. If there is any particular point, perhaps you would ask me about it.

6419. I mean as to the opinion of the majority that body, not only in London, but throughout the country, in favour of this Bill?—That, of course, would be Mr. Leicester's opinion; but should hesitate to accept it otherwise than as an opinion, except I had some very good testimony.

6420. Are you aware that Mr. Leicester is himself a practical glass-blower and a journeyman in the trade, and has been so for 30 years, and has a very large experience of the trade?—I know that Mr. Leicester is an intelligent man, and I believe he did state something of that kind, but I am not in a position either to affirm or to deny what Mr. Leicester stated.

6421. May I ask you, then, further, did you hear or read what Mr. Leicester said as to the numerous open-air meetings which have been held in the south of London, sometimes attended by thousands, and at Seven Dials and Clerkenwell, and in other parts of London, in which meetings a great majority of the working people were assembled decided in favour of Sunday closing?—I cannot say that I have read the particulars of Mr. Leicester's evidence so far as that, but I know that such meetings have been held, and I know that very rarely anyone interferes with them, and no one places any importance, or attaches any value to resolutions passed at those meetings; they just simply let them be. It is a teetotal meeting composed of teetotallers, and no one takes any pains to molest them.

6422. Would you attach no importance to a public meeting, especially if called by placard and advertisements?—I should attach this importance: that it showed that there was a number of persons holding this particular view, but no further.

6423. You do not think that any person who held opposite views, especially if they thought that they were in the majority, would give themselves the trouble to attend a meeting of that sort?—I do think that they would not.

6424. Is that the principle upon which you act in all things; do you never attend a meeting except you agree with those who call the meeting?—I do occasionally attend a meeting that I do not agree with, but I sit perfectly still, and never take any part except in a case where my own name is brought prominently forward, as it has been in Lambeth.

6425. May I ask whether there was a meeting of people in the south of London called by placard and advertisements which you attended along with Mr. Baxter Langley?—It had nothing to do with the teetotal question.

6426. Had it to do with the Sunday amusements?—Yes, it had to do with Sunday recreation.

6427. May I ask whether that meeting agreed with Mr. Baxter Langley and yourself in your opinions upon that subject?—The majority did not.

6428. May I ask if the difference of their opinion from yours was very unmistakeably and strongly expressed?—It was very strongly expressed, of course, on the part of the speakers on the platform, and they had a sufficient majority in the meeting, although the majority was not very large; still it must be borne in mind that they were parties who were in the habit of going to those rooms every week.

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6429. You have not answered my question: my question was, whether the difference of that meeting from you and Mr. Baxter Langley was very unmistakeably and strongly expressed?—It was not, and for this simple reason, that neither Mr. Baxter Langley nor myself was allowed to speak when they knew our opinion, and what our views were.

6430. Will you allow me to ask, if it is not an improper question, do you carry on your own trade on Sunday?—Up to the middle of the day, the news trade. I do not want to mince matters, but you must understand that I have left my own goldsmiths' and jewellers' trade. I may tell you that I have left that establishment, where I was for 25 years, through my taking so much part in public affairs. It was put to me that I must either throw up my foremanship or cease to act on public affairs, and I said to my master, however sorry I am that it must be so, I must part, and I did. Therefore, as it is not such an easy matter to start in business in my own trade of goldsmith and jeweller, and having a family, I started in the news trade.

6431. Are you a news agent?—Yes; a stationer and news agent.

6432. You keep open, as I understand you, half the Sunday?—Yes.

6433. You do not think it necessary and desirable to take for yourself Sunday as a day of rest?—I beg your pardon; I take my Sunday rest in this way.

6434. How much of it?—The whole day, occasionally.

6435. I understood you to say that you keep open your establishment for half the day on Sunday?—Yes.

6436. Do you work at it; does it engage you; is it a money-making trade?—Of course it is. My reason for keeping open is this, that the great sale of such papers as "Lloyd's" is on Sunday morning; and the working classes have as much right, in my opinion, to have their Sunday newspaper as a gentleman has to have the "Times" on Monday morning, or the "Observer" on Sunday morning. And it is quite certain that the working man cannot have his Sunday paper unless some one works.

6437. Mr. Roebuck.] Can you have the Monday newspaper without Sunday working?—Certainly not; the compositors go to work on Sunday evening.

6438. So that if there were a newspaper which comes out every day, the work must be done on Sunday to bring it out on Monday?—Yes.

6439. Mr. Baines.] If I were to tell you that that is not true, that it is distinctly not true, and that it is entirely untrue, would you believe it?—I should have to tell you that I know that it is true, and then we should be at variance directly.

6440. Perhaps we might speak about different papers. If I were to tell you that I know of a daily paper that is brought out on Monday, and on which there is no work on the Sunday, would you allow that to be possible?—I have seen it stated with regard to a certain Scotch paper, but I have seen proof to the contrary, that there was Sunday work upon it. I have also seen that the Scotch clergy send reports of their sermons on the Sunday to the press for the express purpose of appearing in the Monday's paper; and thus necessitate Sunday work. I should wish to put myself right, and to say that I have within two

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or three doors of me a shop in the same line with which there is very great rivalry, and that that shop is open the whole of Sunday; and if I was actuated by the same feelings as many gentlemen I should be certainly in favour of compelling that house to close at the same time as I think proper to shut up, or not allow him to open in the morning earlier than I choose to open myself; but I do not agree with that. I say if I found out that it was convenient to me to shut up on the whole of Sunday I should do it, but being obliged to serve my customers with the Sunday morning paper, it is no hardship to me; I do not experience any. A portion of the family take a holiday on one Sunday, and another portion on another, or we can take time, as I am now doing, in coming before you without pecuniary loss, as would be the case with journeyman mechanics.

6441. I only want to know both your practice, and the principles upon which you found your practice; as I understand it, in point of religion you are a recreative religionist, and in point of practice you are a tradesman who trade for one half of Sunday?—Yes, of course I have no Sabbatarian views with regard to Sunday; I hold that what is good on one day is good on another, and the rights and conveniences of society are the main thing that have guided me in all my doings.

6442. Then you do not consider that there is any religious character, except in so far as recreation is religion, to be attached to the Sunday?—Not to the Sunday any more than any other day in the week; all days are alike in my mind, and it is not necessary to worship the Almighty either in a building or in any set way. I take my ground very distinctly upon that; I claim not to be irreligious, but my views of religion and yours may be very different.

6443. Are you aware that we have had evidence to the effect that all the measures which have been adopted since the year 1831, for the reduction of the hours of drinking on Sunday, have been attended with a diminution of drunkenness?—I should say that there was a constant diminution of drunkenness, but you would attribute it, I suppose, to a certain extent to the closing of public-houses, whereas I should attribute it to the spread of intelligence and to a cheap press.

6444. But suppose we have the evidence of magistrates and many others who have had very great opportunities of observing, and who connect the two things together, would not you think that some considerable weight was to be attached to their opinion, that every restriction that had been put upon the Sunday opening of public-houses had been attended with a diminution of drunkenness?—I should be sorry to be so presumptuous as to think that I only can see things in a proper way, and set my judgment up as superior to everybody else. If those gentlemen see that connection between the two they see it, and there may be something in it; I will not pretend to say is, or is not; the question with me is, that I see in the general spread of intelligence and of education, so far as it has been brought more readily within the reach of people, and still, inferior as it is, a cause for this improvement, and I think that that has been going down through all society. It is not a question alone of the working men; it is just the same as with noblemen or gentlemen; a drunkard is looked upon as a disgrace in the upper class,

and so he is in the lower class. If I get a drunken lodger into my house by accident I very soon get him out again, and so he becomes looked upon as a disgrace, and there is that to correct and to prevent drunkenness, and it is of a far more effective character, I think, than the closing of public-houses on Sunday.

6445. Will you give me a distinct answer; do you believe that those restrictions have not had any effect in the diminishing of drunkenness on Sunday?—I believe that the closing up to one o'clock has decidedly.

6446. Then if its closing up to one o'clock has had that effect, is it not reasonable to believe that yet further restriction would be attended with a further diminution in drunkenness?—I believe that I have already answered that question, or very nearly so.

6447. Then will you answer it again very shortly?—If you want me to answer it very shortly, I say no.

6448. Are you aware that in the whole of Scotland by the Forbes Mackenzie Act the public-houses have been closed even for the sale of liquor during the whole of Sunday, and we have the strongest evidence of a Royal Commissioner as well as of a Member of Parliament, who has been giving us evidence, and who was a Lord Provost of Edinburgh for several years, that that has been attended with a very considerable diminution of drunkenness?—As I have not read all these documents, I will not pretend to answer that as briefly as you may perhaps desire, but I may say this, from what I am informed, that if there is not so much drinking, of what you may call a general character going on there, there is a vast deal of illegitimate drinking going on; methylated spirits are introduced into a number of things.

6449. *Chairman.*] Do you know that of your own knowledge?—No, I never was in Edinburgh, so that I cannot say; I only hear of it from persons who do know.

6450. *Mr. John Abel Smith.*] Do you know what is imported by the term methylated spirits?—I know what methylated spirits is, because I use it in my own business.

6451. What is the meaning of the words methylated spirits?—Now you have gone beyond my scholarship.

6452. *Mr. Baines.*] But are you aware that there not only has been a most signal diminution in the amount of drunkenness in Scotland, but also a very great diminution in the quantity of spirits consumed there?—I believe that there has been a decrease, but I must claim for the decrease in Scotland to a great extent the same cause as in England, namely, the spread of intelligence. It is not so many years ago since it was denounced by a clerical gentleman in Scotland, that it was a deplorable sight to see a man on a Sunday, in his clean shirt, smoking a pipe or taking a walk in the street; it was something abominable; but the Scotch people, I am glad to say, have got so far in advance during the last few years, from the evidence which I have from the most reliable authorities in Scotland, that they have made more progress in regard to free views of the Sunday, and in abolishing those old superstitions during the last ten years than we in England have in 50. That is the evidence of a gentleman from Scotland, and partly to that I should wish to attribute the decrease in drunken habits. I cannot for the life of me separate the two; that a man shall have a taste for art and knowledge and

and intellectual culture, and should remain a drunkard I cannot understand.

6453. We are not asking for your opinions, because you have expressed them very strongly; and you make your answers more copious than is necessary for the purpose that we have in view; may I ask whether you have examined the statistics that have been published concerning the uses of drunkenness in Scotland, and the amount of spirits consumed in Scotland with reference to the year in which the Forbes Mackenzie Act came into operation?—I have, but I have not gone into such particulars as to answer it in that way.

6454. If that is so, I think that it shows that our opinion upon the subject, perhaps, is not entitled to very much weight. You probably know that a Royal Commission was appointed to travel over Scotland, and to inquire into the working of the Forbes Mackenzie Act; and that that Royal Commission, after inquiring of all classes of people, reported that the working of the Act was altogether good, and highly popular?—I have not seen the report.

6455. You have spoken considerably of Paris; may I ask if you think that the way of observing the Lord's day in Paris is better, and attended with better effects than the observance of the Lord's day in England?—In giving my answer I must give the reasons for holding my opinion. I am of opinion that it is far better to follow the French fashion, to have an early morning service, and dispose of the religious duties of the day, and leave people free to enjoy themselves in the way they may think proper; that is especially in visiting such places as museums and galleries of art; and I think in the early part of my evidence I spoke of the superior culture and bearing and superior workmanship of the men who had been so brought up. It has been my pleasure to hold conversation with many of them, and I must say that they are vastly superior to those who have been brought up in our national schools, and under our Sunday school system.

6456. Are you aware that the gentleman whose name I have mentioned here, Mr. Leicester, himself a working man, who has lately been over to observe the Paris Exhibition, has given evidence within the last few days before this Committee, that his own opinion with regard to Sunday amusements had been changed by what he had seen in Paris, for that he found that a more pleasure-loving and a more wicked people there was not upon the face of the earth?—I am. I have read his evidence, and with that evidence I have read the evidence of a number of others who went over to Paris, who will speak equally as strongly, the proportion being much larger of those who speak favourably than the one which you have selected as speaking unfavourably of Paris. I have read their evidence in favour of the mode of spending Sunday there.

6457. Do you know that the Roman Catholic Archbishop of Paris has expressed his opinion very publicly that the way of spending Sunday in Paris is very unfavourable to morals and to religion?—I am not aware of what the Archbishop of Paris has said. It is not the Paris Sunday that is asked for in its entirety; no one that I know of asks for such a thing; the question is, whether the opening of national institutions, such as the Louvre and those places, is good, and tends to decrease drunkenness; as to the low saloons and those kind of things in Paris,

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it is quite contrary to the taste and feeling of English people.

6458. You have stated to us the opinion held by a prefect in Paris; was that the prefect of the department of the Seine?—The letter says: "In answer to your letter of 17th instant, which I only received on Saturday, too late to get the information required, I went to the police master of our arrondissement (district), whom I know, and obtained the following particulars."

6459. Have you heard that the directors of the South Western and Chatham railways have given up their Sunday excursions?—To a certain extent they have.

6460. Is it to a great extent?—Yes, to a great extent.

6461. Has that been on the alleged ground of the evils to their servants, and the drunkenness and disorderliness caused by the excursionists at Dover and Hastings, and other places?—It has not; most positively it has not.

6462. Then am I misinformed upon that point?—You are misinformed.

6463. Do you not consider that the opening of public-houses for consumption on the premises on Sunday evening presents a strong temptation to young persons to form habits of drinking and keeping bad company?—It presents such temptation to the ignorant and uninformed, to those having no self-respect; but the larger class that I come forward to-day to represent, are those who have a sufficient amount of self-respect and independence to make it immaterial to them what amount of temptation of flaring gas or gin palaces is put before their eyes; so long as they can get a glass of ale when they feel that they want it, they are above and beyond temptation.

6464. Then you come forward to represent a class who are beyond the reach of temptation; is that so?—Speaking as a general rule, yes.

6465. Do you not fear that that is rather a limited class?—I do not. I think it is a very growing class and a very extending class.

6466. Mr. Locke.] There are other temptations in the world, are there not, besides drinking?—I believe there are.

6467. Do you think it would be advisable to pass a law with respect to them all, or could it be done?—There are so many matters that must be left entirely to the intelligence of the individual, that I do not see the possibility of legislating to reach them.

6468. And do you think that an attempt at that description of legislation is likely to cause not only inconvenience, but a very strong reaction against the object which the legislation has in view?—The expression that I mentioned of having heard that if the House of Commons were so insane as to pass this Bill they should have to get rid of it, I think goes very far to prove it.

6469. You have been asked questions with regard to the sect, or whatever it is called, of recreative religionists; what are the precise opinions of the recreative religionists; are they confined to the advocacy of innocent recreation on the Sunday, or what is the object of them?—They go on the principle of love to mankind in general, and that you should do unto others as you would have others do unto you.

6470. Then you believe they do that?—Yes, they profess to do it.

6471. All religions profess that, do they not?—Yes.

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6472. But I wish to know how you propose to carry it out?—The grand principle and design of the movement is to provide people with recreation on the Sunday, that is the *modus operandi* of the society.

6473. And you say that that would be beneficial?—We do.

6474. With regard to the persons who belong to the recreative religionists, as you call yourselves, are they persons who adopt different religions irrespective of that?—We have no tests.

6475. Mr. John Abel Smith.] Have you no creed?—Our creed and our reasons for faith in it is given in a document, which, had I been aware that I was going to be examined upon this particular branch, I would have brought with me. I had not the slightest idea that the recreative religion question would turn up here, or I would have come provided.

6476. Mr. Locke.] What document are you referring to?—The printed papers that were issued by the society. The president of the society delivered an address, every evening the same address, setting forth the objects and basis of the movement.

6477. The basis of it was explained at St. Martin's Hall, was it not?—Yes, it was explained every Sunday evening by the president previous to the lecture by the learned gentleman who gave the lecture.

6478. What were those lectures; were they not merely for the improvement and instruction of the persons who attended there?—That was the object.

6479. And besides that, there were concerts, were there not?—Yes. Some person has just put into my hand one of the addresses. It is called "The Churches of the Past and the Church of the Future: being a Discourse on the Indifference of the People to the Theological Organisation of the Nineteenth Century; delivered in St. Martin's Hall, February 24th 1867, by J. Baxter Langley, Esq., M.R.C.S., F.L.S.," the president.

6480. At St. Martin's Hall did Sir John Bowring lecture?—Sir John Bowring lectured there, and Dr. Carpenter, Dr. Hodgson, Professor Huxley, Mr. Frederick Harrison; and there were 12 gentlemen altogether who delivered lectures at St. Martin's Hall.

6481. Were those lectures upon different subjects?—They were.

6482. Just tell us some of the subjects?—Sir John Bowring's lecture was on Siam and the Siamese.

6483. Was not a Bill brought in by Lord Amberley last session, to repeal the 21 Geo. 3, c. 49?—It was.

6484. That Act prohibits any house being open for public amusement or debate on the Sunday, to which persons shall be admitted on payment of money; and it enacts that such house shall be deemed a disorderly house, and the keeper thereof shall forfeit 200*l.* for every Sunday the same shall be used as aforesaid; is the case that is now before the courts for decision a case founded upon the infringement of that Act?—It is.

6485. What is the occasion upon which that prosecution was instituted; or rather, is it a prosecution or an action for penalties?—It was an action for penalties for four different evenings, for 200*l.* an evening, against the proprietor of the hall, and also against Mr. Baxter Langley,

as the president. Sir Thomas Henry pointed out to the prosecution that, as they professed to go only for nominal damages, and for the trial of the question, the four cases should be knocked into one, and that the real defendant, Mr. Baxter Langley, should be the only defendant.

6486. And a case was submitted for the opinion of the judges?—Yes, of the Court of Common Pleas.

6487. A case under the 21st of Victoria was sent by Sir Thomas Henry to take the opinion of the judges as to whether you had infringed this Act of Parliament?—Yes; Sir Thomas did not send it to the Court of Common Pleas; it was the prosecution that chose that court.

6488. The matter came first before Sir Thomas Henry, and then a case was submitted upon the law for the opinion of the court, and that is what is now pending?—Yes. Sir Thomas Henry pointed out that it was not a case to be tried in the way in which it was brought before him as a magisterial case for committing the lady lessee, as the keeper of a disorderly house; that that was not the proper course to take, but that a case should be submitted upon the law.

6489. Had it anything to do with any particular religion?—Of course, we claim to come under the Toleration Act of Victoria, as being a registered society, to be allowed to let sittings the same as other parties.

6490. Do you claim a right as a religious society to have sittings?—Yes, we do.

6491. But what that religious society is does not exactly appear, inasmuch as you have all sorts and descriptions of lectures on the Sunday evening, for the purpose of improving those who attend?—Yes.

6492. Are you aware that this Act of George the 3rd was passed for the purpose of preventing political meetings on the Sunday evening?—I have understood that it was framed for a very different purpose, and indeed, I have read the debates that took place in the Houses of Lords and Commons on the passing of the Bill, and I find that it was framed for a very different purposes from that to which it is now being applied.

6493. What was that purpose?—For putting down meetings at certain houses in Saville House, Leicester-square, where ladies and gentlemen were in the habit of meeting, and also of suppressing political discussion.

6494. You stated that the Glasnevin Gardens at Dublin are open on the Sunday; is the museum open likewise?—It is, and the National Gallery of pictures also at Dublin.

6495. Then those places are all of them open now on Sunday?—Yes, they are; I may say that previous to the opening of the Glasnevin Gardens a vast number of predictions were made to the Government; it was said that children would not be able to go into them without plucking berries, some of which were poisonous, and that it was predicted that some of the poor little things would be poisoned.

6496. Are you aware that that was carried by Mr. Gregory in the House of Commons in Committee of Supply, when he proposed that the money should not be granted for the purpose of maintaining the gardens unless they were open on Sunday?—Yes.

6497. He moved that as an amendment, and it was carried by the House of Commons?—Yes.

6498. Are you aware whether any inconvenience

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ence whatever has occurred in consequence?—The curator of the gardens in his various reports has presented the same testimony that has all along been presented by Mr. Hooker at Kew; namely, that the working classes, who are the frequenters of the gardens on the Sunday, commit no damage, and do no wrong.

6499. And your opinion is that the opening of those places is calculated to diminish drunkenness?—It is. As some papers have just been put into my hands which relate rather to a question which was put to me by the honourable Member for Leeds, as to the number of persons travelling on Sunday, I do not know whether I should be at liberty to use them. They are supplied by the companies. The London General Omnibus Company, for instance, gives the number of passengers travelling in all the company's omnibuses on Sunday, from the 1st of April 1866 to the 30th of September, inclusive.

6500. Where did you get that statement from?—From the company itself.

6501. And that you can authenticate?—Yes; it is signed by the secretary, Mr. Church, and it states that 2,882,670 travelled in their omnibuses on the Sundays within that period.

6502. Mr. Knatchbull-Hugessen.] Does that mean travelling in London, or out of London?—All persons travelling by that company's omnibuses.

6503. Mr. Locke.] That company is a company within London, is it not?—Yes; but they go to Richmond, and Kew, and Hampton Court, and all those places.

6504. Then it includes London and the environs?—Yes, London and the environs. There is another statement from the Metropolitan Railway: "In reply to your letter of the 5th, I beg to hand you a return of the number of passengers using this railway on Sunday the 15th of July last, the traffic on that day being about the average. I may say that the railway is very largely used by persons going to places of worship. —Your obedient servant, *Myles Fenton*." The numbers are, first class, 4,167; second class, 10,214; and third class, 40,530, making a total of 54,911.

6505. Mr. John Abel Smith.] Was there a meeting at which you were present at Newington Causeway?—Yes.

6506. What meeting was that?—It was a meeting called by a branch of the National Sunday League, at a certain room there, and the branch left the doors open for the general public; but the room was taken possession of by its being announced from a certain pulpit the previous Sunday, and certain gentlemen were there, who constituted the rather larger half of the meeting.

6507. And you were defeated, were you?—You may call it a defeat, if you please.

6508. Were you in a minority?—Yes; but I may say that we had a larger meeting afterwards. We called a meeting at another room.

6509. When you took care not to have anybody adverse to your views?—I beg your pardon,

we did nothing of the sort. Ticket meetings in our association is a thing unknown. We leave them to the gentlemen who cannot do without them. We held a second meeting at a large room that had been a chapel, by St. George's Hall, in St. George's-road, just opposite the horse repository. I think we held two meetings there. At one meeting we had a very close shave, and at the next meeting it was crammed full, and we had a large majority.

6510. Who was in the chair?—Mr. William Allen, the secretary of the amalgamated engineers; this is some years ago.

6511. How long ago?—I really cannot tell you; it is some years ago.

6512. Was the Newington Causeway meeting a long time ago?—You will understand that those meetings have been going on at one time and another during the last 15 years; and I have attended so many that to ask me to fix the date of any particular meeting from memory is more than I can do.

6513. I do not ask you for any exact date; but with regard to this meeting at Newington-causeway at which you had a majority against you, do you know within a certain length of time how long it was ago; is it three years ago, or five years ago, or two years ago, or what?—I should say that it was about three or four years ago.

6514. Are you sure that it more than 18 months?—I want to fix on something to connect it to be able to answer that question, and I have nothing in my own mind just now to connect it with any particular date. It is some two or three years ago, as far as I can say. I think we have held a second meeting at the same room. Dunn's Tailors' Labour Agency Rooms is the room, and we have held more than one meeting there, so that I do not know which you refer to.

6515. What was the exact object of the meeting; was it a meeting tending to express any opinion of working men about Sunday drinking?—No, it had nothing to do with Sunday drinking, except so far as this, that it was to advocate the opening of the national institutions on Sunday.

6516. Mr. Knatchbull-Hugessen.] The accuracy of your statements about the canvass in St. Pancras was impugned; that canvass was made by the Alliance, was it not, who are among the advocates of this Bill?—Yes; and I was referred to the Alliance office in the Strand.

6517. I only want to get at this; am I right in supposing that all you meant was to impugn the general accuracy of a canvass made in the manner in which canvasses have been made by the promoters of restriction?—That is all; I contend that this great majority of residents in that street, instead of being treated as neutral or of no opinion, were in reality in opposition to the Bill.

6518. You were asked whether it was a proper thing, and the effect of your evidence was to impugn the general accuracy of those kind of canvasses?—Yes.

Mr. THOMAS WINTERBOTHAM, called in; and Examined.

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6519. Mr. Locke.] WHAT is your occupation?—A Licensed Victualler.

6520. Have you been for 36 years engaged in business as a licensed victualler?—I have.

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6521. About 29 years on your own account?—I have.

6522. Have you been engaged for the last 25 years in all the questions that have been raised upon

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upon this subject?—I have been engaged for the last 25 years upon almost every public question that has interested the trade of which I am a member, and necessarily upon this subject amongst others.

6523. And likewise you have been engaged with regard to the charitable institutions of the licensed victuallers, have you not?—I have held the office of governor of the Incorporated Society of Licensed Victuallers, which unites that of the chairman of the Licensed Victuallers' School, and also chairman of the committee of the proprietors of the "Morning Advertiser." I have been the chairman of the Protection Society, and I now hold the position of chairman of the Retail Wine and Spirit Sellers' Society.

6524. Were you chairman of the Protection Society when Mr. Wilson Patten introduced his Sunday Closing Bill in 1854?—I was a member of the committee.

6525. Will you be kind enough to tell us what action was taken by that committee in reference to that Bill?—The committee of which I was a member, felt that it was their duty to oppose that measure as being injurious to the trade, and also as being unjust to the public; but in the progress of that Bill through Parliament, we were advised by many of those Members of the House of Commons in whom we had great confidence, that in consequence of the report and recommendations of Mr. Villier's Committee, unless we had accepted something like a compromise, we should get the full recommendations of Mr. Villier's Committee, which would make it even worse, I believe, than was contemplated by the original Bill of Mr. Wilson Patten.

6526. Will you state to the Committee what were the recommendations of Mr. Villier's Committee with respect to closing?—I am not quite clear upon that point, but my impression is that we were to open from one till two in the afternoon, and from six till nine.

6527. You objected to that?—Yes.

6528. Will you state upon what grounds you objected to that?—I understand that the objection taken at that time was, that as far as our trade was concerned, it was such a change as would be injurious to us, and as far as the public were concerned, it was such a change as would be unjust to them; and that there were great wants existing at those hours at which they were intended then to be closed; that those wants legitimately existed, and required a legitimate supply, and that it was unfair and unjust to oblige the houses to close at the hours proposed by Mr. Wilson Patten's Bill in the first instance.

6529. Do you say that you made a compromise upon that occasion?—A compromise was effected upon that occasion, as I have already stated, on the recommendation of gentlemen of the House of Commons, who felt that there was a danger that we should get the worst that was proposed, and therefore I, in common with others who were acting with me, felt that we were doing our duty to the trade, and doing the best we could do for the public (for there was no public organisation at that time), to accept a certain portion of the closing rather than run the risk of a division of the House upon the whole question; the result of our acceptance of that compromise was, that we got into a large amount of disrepute and discredit both with the public in our own houses, and most certainly with the trade which we then represented; there was no

other organised association at that time in connection with the trade, and we were the only ones who could adopt anything on the part of the trade; and the trade who were not parties to that compromise, complained most bitterly of the course we had taken, and they adopted a line of conduct which resulted in the establishment of a new association; I may say that the result of that compromise to every man who was associated with it was serious discredit and disrepute, as far as the trade was concerned, from a number of men with whom he was on the most friendly terms, and, as far as the public were concerned, from a number of those customers to whom he was indebted for his business.

6530. At all events, what you did then you did for the best, as you thought?—We thought we did it for the best, and we adhere to it; we did not feel it our duty, having made that compromise, to assist in any movement by which that Bill should be altered, and although a movement was made in which the public joined and shared, by which that Bill was eventually repealed, we had nothing whatever to do with it.

6531. Had the licensed victuallers as a body anything whatever to do with the opposition which was raised to the provisions under that Bill in 1854?—I should think that there was no doubt that the licensed victuallers had something to do with it; I am confining myself expressly to those who were actively associated with the compromise previously effected. I believe that a large portion of the trade, in fact I am satisfied that a large portion of the trade who felt themselves aggrieved, had something to do with the opposition to that measure.

6532. How was that opposition carried out?—I am not sufficiently in the secret to be able to say, but I believe that it was carried out by means of public meetings, and those other ordinary courses which are usually adopted in opposition to any measure which may be felt to be oppressive.

6533. We have heard evidence with respect to what took place in the parks; had the Licensed Victuallers' Protection Society anything whatever to do with that?—Most certainly not; and I will go further, as far as regards the parks, and state that I have made some inquiry with regard to the gentlemen who were actively opposed to us upon that question, and I have had from one in whom I have the highest confidence, a statement, this very day, that they had nothing whatever to do with it, but, on the contrary, it was a demonstration in the park, with which the licensed victuallers of either one side or the other had not the slightest to do.

6534. Can you say by whom it was got up?—I am not in a situation to say, but I believe that it was got up by those who felt that their interest would be seriously injured by the introduction of the measure introduced by the then Lord Robert Grosvenor, and it was certainly assisted to a very great extent by those who felt that their liberties had been interfered with by the Act which was then actually the law of the land.

6535. You state that there was no opposition got up by the licensed victuallers of any description, either by the Protection Society, or by any other body or individuals belonging to the licensed victuallers?—No, not so far as regards the parks, or the riots that took place there.

6536. Have you ever read this Bill?—I have, and I have had some difficulty to understand it.

6537. Have

6537. Have you arrived at some sort of knowledge of what the Bill intends to do?—I believe that the Bill intends, in the first place, to stop entirely the consumption of liquors upon the premises, and I believe it intends to confine the sale for non-consumption from one to half-past two o'clock, and from eight o'clock to ten. I see that there is an exemption made with regard to the metropolitan district, and I have heard it stated in this room that the case of the traveller, as far as the country is concerned, is not to be interfered with, but I am free to admit that I can see no necessity for the introduction of the proviso, as far as regards the metropolitan police district, when the same law as regards the traveller exists in the country and in London, unless there were originally, at least, an intention to prevent a traveller from being supplied throughout the whole country, excepting only the metropolitan district.

6538. Therefore your opinion is, that if this Bill were carried as it at present stands, the privileges of the traveller throughout the country would be abolished?—I shall speak of course with all deference to those legal opinions which have been given in this room, but certainly as far as my common sense reading of it goes, I say that they would be abolished.

6539. If that were so, great inconvenience would arise as far as the country is concerned; that would be the inconvenience to excursionists in that case?—The inconvenience necessarily would be of as great a character as regards the right and of a greater character as regards the middle of the day than was the case under Mr. Wilson Patten's Act. And I am justified in saying, that in the exercise of my business, and from the comments of the public press, and from communications which I have received from many members of our trade, those complaints were not new and far between, but general and powerful; and I believe that the same result would follow this bill as far as the complaints are concerned. I think, that as regards the excursionists, a large number of them arrive much later than they could possibly have the conveniences which even this bill professes to offer to them, because they would be compelled in the first instance to fetch or borrow a jug for the purpose of taking the liquor home, and they may live some of them two or three miles, as I believe a number of them do, in many instances, from the station at which they alight after their Sunday's excursion.

6540. That is, as regards excursionists returning home?—Yes; I am anxious to confine my evidence, if possible, to the metropolis, as I know most about it.

6541. Can you tell us what your experience was after Mr. Wilson Patten's Act passed?—I have endeavoured already to show, as far as my own experience went, that it resulted in a large amount of personal disrepute, discredit, and unpleasantness to all who were associated with the compromise; and as far as my customers were concerned, it resulted in my having a large number of them on the Monday morning complaining that they had knocked at my door on the Sunday night and had to go to bed without their beer for their supper, and in my having to explain to them that it was not my fault, but the fault of the Legislature which had chosen to adopt the Act which was then in force.

6542. Then the complaint was made by persons

who wished to have beer and other liquor to be consumed off the premises?—Yes.

6543. At what hour were you required to shut then?—At 10 o'clock, precisely the same hour as is proposed by this bill.

6544. And you think that if the houses were now obliged to be closed at 10 o'clock the same inconvenience would arise?—I do not think there can be a question about it. But there was another inconvenience independent of that going a little further, and that was the inconvenience to a man who wanted to have his glass of ale as he was walking home, having no family in all probability to provide him with it when he got there, and having to go home without it, and go to bed without it, which had been certainly not his usual custom.

6545. Is there a class of persons employed in their business on Sunday to whom it would be inconvenient?—There is a large number of persons who, I venture to think, are legitimately employed, certainly, in earning their livelihood on Sunday, who would be more inconvenienced by this measure, assuming it to pass into a law, than they were by the operation of Mr. Wilson Patten's Act. I may mention amongst them omnibus conductors and drivers, and cabmen, and all that vast mass of stablemen and others connected with those particular classes of business, and especially men employed in gas factories, and last, though certainly not least, I think those who are employed upon the public press, such as printers and compositors, and others, who I believe, from my knowledge of the working of the "Morning Advertiser" (although there may be some exceptions, I hardly expect to hear one), who go to work somewhere about seven in the evening on Sunday, and they do not usually conclude their labour until three or four o'clock on Monday morning. Those I think would be especially inconvenienced, and those I think are entitled to the consideration of the Legislature.

6546. Then it is the Monday paper which causes the work of the Sunday, and not the Sunday paper?—Certainly.

6547. With regard to the Sunday papers, the only persons employed are those who sell them?—Yes, and they are very few.

6548. The persons who prepare them are not employed on Sunday at all?—I should think not, certainly, but I have not any personal experience of Sunday papers.

6549. Then a strict Sabbatarian Act would abolish the Monday paper, although there might be one or two particular individuals who said that they produced all their news on Saturday night, and stopped there, and never published any Sunday news of any sort or kind?—I should think, assuming that there was no work to be done on the Sunday night, we should certainly cease to have anything like a Monday paper with any news of any importance in it as a rule.

6550. And that might be an objection to some newspapers?—I think it is more than probable.

6551. Those persons that you have mentioned, are a very large class of people indeed, are they not?—I believe them to be so.

6552. Is there in addition to them a large class of persons in London, who are living in lodgings, and to whom a public-house on the Sunday, is necessary?—I have no personal knowledge of that, but that argument I recollect was used very strongly by those who were

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were opposed to the operation of Mr. Wilson Patten's Act, but of myself, I really do not know it.

6553. Are there not persons living in lodgings who come to Peel's coffee-house on Sunday, to take something to drink?—I do not know that myself, but I know that we are surrounded by a large number of gentlemen who are living only in chambers in the Temple, Clifford's Inn, and neighbourhoods of that description, who I have reason to believe have no other place to go except one of public resort. I believe there are large numbers of gentlemen who go away to their friends on the Saturday night or the Sunday, but still there necessarily must be left a large number of them in town who must obtain their meals at some houses of public resort, but we have not a very large number of them as far as my experience goes.

6554. With regard to the other houses round about that locality, you cannot speak?—No, I am not in a situation to speak about them.

6555. Have you had an opportunity of ascertaining whether or not the habits of the people have improved with regard to drinking?—I believe that the habits of the people have materially improved; in fact, I think taking those usually called the working classes the improvement has been so marked and so steady, that no man who has had anything to do with them could by any possibility have mistaken it. I believe although I am free to admit that the restriction which closed public-houses on Sunday to 1 o'clock after Divine service, was of value to a large portion of the working classes, still I believe that the improvement that has taken place in them, has resulted from the spread of education, and resulted from their desire to do better for themselves than they used to desire. I believe that very much to be attributed to that. I am not here going for one moment either to deny or to decry the efforts of religion, which have been made with reference to them, but I believe that one of the best and most important agents in the improvement of the social habits of the people has been the means which they have had of getting away from town on the Sunday, thus invigorating their bodies and improving their minds. I believe that to have been one of the most powerful agents that we have had; it has improved their social and moral position; it has increased their self-respect, and induced them to desire one man to appear as good as his neighbour, and has had an effect of a most important character.

6556. If this Bill were passed into a law, would not its provisions cause great inconvenience to all that class of persons whom you have enumerated, and who have had such benefits conferred upon them by leaving London on the Sunday?—I cannot conceive but what it must be so.

6557. Of course if they leave London on the Sunday they cannot be out in the open air all day; they must go into some place for refreshment?—They would do then, or they would desire to do then, what they customarily do now. Numbers of them, I believe, take down their own provisions, and a number of them one shade higher in the social scale, by which I mean the moderately-positioned class of tradesmen who enjoy themselves on Sunday in that way, go into a house according to their means, calculating the cost by its appearances and its accommodation, and there have that which they feel to be a

necessity, or assuming that they do not feel it to be a necessity, what they consider to be a legitimate enjoyment.

6558. If there is no exception in this Bill made for the traveller, of course that inconvenience would be entire and complete?—Perfectly so.

6559. They would not be able to go into any place at all?—No.

6560. But supposing the law were to exist after the passing this Bill precisely in the same way as it does now, have you any experience as to the inconvenience to persons who go out into the country upon an excursion and endeavour to obtain entrance into public-houses within the limited hours?—The law regulating the conduct of licensed victuallers with regard to travellers has been so long a vexed and difficult question, that, notwithstanding the decision which has been referred to, I think by yourself, in this room there are a very large number of the trade who dread, from various influences of the magistracy and the authorities around them, even now, to open their houses unless they can be certainly guaranteed that the man is a traveller, and comes something like what they believe to be a reasonable distance, difficulties even now exist, notwithstanding that decision.

6561. Would it not be almost impossible for the generality of persons who go out upon excursions on the Sunday to prove to a licensed victualler that they were *bonâ fide* travellers?—It would be a very great difficulty for them to do so. There are numbers who walk, and who may walk some long distances, but I do not think that the majority of our trade would be disposed to accept that interpretation of a traveller, and I am afraid that the magistrates would not be so either, assuming the police summoned a person for that offence.

6562. Therefore, if the hours were as proposed by the Bill, with the exception of the traveller, even supposing the Bill is more favourable to the traveller than some of us imagine it is, a person would have no opportunity whatever of getting any refreshment in a house of any kind, sort, or description upon the Sunday, unless it was shown that he was a *bonâ fide* traveller?—Much of that would depend upon the mode in which the traveller question was carried out in the various towns to which excursionists go; I believe the practice of the authorities in various of our large towns, to which the long trains especially go, differs very materially as to the time at which they think a house should be open; I think that there are some of the watering places, especially where they do not object to those houses being opened as a rule on a Sunday morning, even now; but I believe that there are others where they are more strict and more particular, and they apply the exception in favour of the traveller only to the latter part of the day.

6563. Do you think that there has been a good result in the way of temperance from the education of the people, and do you think that there is an increasing desire to improve their condition of life amongst them?—Yes, I think so.

6564. And you think that the facilities of leaving London by railway and steamboat on Sunday has accelerated that improvement?—I think very much so.

6565. Have you ascertained what is the number of charges before the police for drunkenness?—I had occasion to look over some documents that were, I believe, forwarded to the honourable

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members of this house, and if my memory serves me aright, taking the population of London, which is something like 4,000,000, I do not think there were more than 2,000 persons charged with drunkenness, and crimes arising out of drunkenness, within 12 months.

6566. Do you consider that there would be an impracticability on the part of the licensed vicarallers to carry out this Bill if it were passed into an Act?—I think that the Committee will feel that my long experience would suggest to me some mode by which it might be done, but I am free to admit, and I have looked at it with the greatest possible care, that I see a large amount of impracticability about it. I see in the first place a great difficulty about preventing anyone who may get certainly his malt liquor in a glass from drinking it, and those with whom he may come in within the shop. I should see a great difficulty about ejecting a man from my house with his own beer, even if it was in my jug, because he gave it away, and even if it was in my house, and I think that that is one very especial difficulty that necessarily would arise in the carrying out of this Bill, assuming it were to become law. I think there is another very great difficulty, and one that will create for the trade, of which I am a member, even a greater difficulty than that vexed question of the *bonâ fide* traveller; and I certainly must express a hope that if the Legislature passes this measure, it will at least define what is a *bonâ fide* meal, because I find by this Bill it is proposed to be the law that a man within the Metropolitan district is to be allowed to have, and the trader is to serve him with intoxicating liquors, most of which are articles in which we deal during the time he is partaking of a *bonâ fide* meal. I am free to admit that I cannot by any possibility find any rule that I could exercise for my own conduct, or give to my young men in the exercise of their duty by which they could ascertain what a *bonâ fide* meal was, and how long a man was taking it, or when they were to begin to serve him, and when they were to leave off serving him; and yet I should be subject to some penalties for not being able to know what I ought to do; and assuming this Bill ever to pass into a law, I hope the House of Commons will at least in its wisdom interpret that for us.

6567. Do you think that it would be evaded by persons who were entitled to come in and take a meal?—With regard to evasion, I may just say this: that I think that this broad principle may be adopted, that where there is an undue and unnecessary restriction evasion is sure to follow, and that numbers of men, in fact, by the majority of men who are not influenced by the strictest possible principle will not feel that they are committing any crime in evading a law; to the action of which they object, as trenching upon their personal liberties. I believe that with regard to a *bonâ fide* meal the Act would be evaded to even a greater extent than I believe the question of a *bonâ fide* traveller is now evaded; and I believe that to be the case in a large number of towns even now. That is a difficulty which certainly I can by no possibility see any mode of treating and providing for; and I think that the fact of having no means of obtaining liquor within a public-house would be an inducement to a number of people to take it home; and when taking it home, although having taken it home with the best motives and

best intentions, a number of others, with whom they are associated, would be calling, and I think that it would be hard work for them to refuse, more particularly if they felt that a man was wanting it, or who ever called was wanting it, the result of which would be, that what was done in one man's house on one Sunday would be done in another man's house on another Sunday; and I think the broadest and best principle that can be adopted is, that the sale of all articles in which we deal should be as open and as public as it is possible for it to be. I believe such to be a prevention to a large amount of impropriety that would otherwise ensue if the same article is consumed away from the eyes of those who have the responsibility of keeping their house in order, so much as there is depending upon it, and it is transferring it only to where a man is perfect master of his own house.

6568. You think that there is a greater restraint to persons when they go into a public-house where they have the eye of the person who keeps it upon them, than there necessarily would be if they took the liquor home and drank it in secret?—I believe that such would be the rule. I believe secret drinking to be the most baneful mode by which they can consume the articles in which we deal.

6569. A great many petitions have been presented against this Bill; can you state the time during which those petitions were presented?—Perhaps I may be allowed to state to the Committee that some differences of opinion existed amongst those who felt it their duty to oppose this measure on behalf of our trade, but, eventually, the number of petitions that were continually pouring into the House of Commons in favour of the measure was of such a character that the Committee felt that it was their duty to test public opinion to the best of their ability as to whether or not the feeling was altogether on one side of the question, and we found that the question of petitions was assuming so much importance that we felt it was necessary that we too should represent or give the public an opportunity of representing to the House of Commons, at least that portion of the public who did not agree with the desirability of closing public-houses on Sunday, that we should give them an opportunity also of expressing their opinions. I may say that we did that because we could see that there was a large organisation employed on the other side; that the public, as a rule, unless led by some of those in whom they have confidence, have but little organisation of their own, and that we felt it was necessary to supply them with the means of expressing their opinion to the House, as in contradistinction to the means which were so readily supplied by those on the other side of the question, who had a large and important influence amongst them. I may just state that the result of these petitions was this. I will tell the Committee exactly that those petitions came into the hands of those who were actually engaged in opposition to this measure; that they were watched with the most scrupulous care, and instructions of a most expressive character were given as to the mode in which those signatures should be obtained, and that every petition bearing upon its face the appearance of anything like having been improperly signed, or anything contrary to the rules of the House of Commons, was examined petition by petition, and whenever a doubt existed those petitions were

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were thrown aside, otherwise the signatures, I believe, would have been much larger than even those which we presented. I may also state that that result was accomplished in three weeks, and I may add to that that a very large number more of signatures would have been obtained had the parties who were actively engaged in it not been met with this statement. The House of Commons, after the experience of Colonel Wilson Patten's Act, never will again venture upon a species of legislation like this, and your opposition is absurd and ridiculous; it is useless for you to engage in this trouble. And I may say that in that statement a large number of members of our own trade shared, who had petitions sent to them for the purpose of obtaining signatures; they never unfolded them, and never took the slightest means to obtain signatures to them. I do not say all, but I say a large number of them did so, upon precisely the same ground that the fear of the measure passing this House was perfectly ridiculous and absurd.

6570. What was the number of signatures to the petitions?—Nearly 500,000 signatures.

6571. With regard to the mode in which the canvass has been taken, have you adopted any means of verifying the statement that was made by one of the witnesses here, as to a house-to-house canvass which took place, commencing at Lambeth, and going round to London Bridge?—I have done so; but I would just like, with regard to those petitions, to hand in the suggestions and instructions that were given to those gentlemen who had petitions entrusted to them for signature: "Suggestions to gentlemen undertaking to procure signatures to petitions against Mr. J. Abel Smith's Bill. 1. The sheet on which the words of the petition are written must contain three or four signatures. 2. Let everything be *bonâ fide*; no children or young persons ought to sign. 3. Make it the special business of some one in your establishment to see that this is done. 4. Keep the petitions clean; blotting paper is provided. 5. Return the petitions, as numerous signed as possible, to Mr. J. F. Homer, Chairman of the Licensed Victuallers' Protection Society, temporary offices, 1, Great College-street, Westminster, without delay. 6. If you have not a sufficient supply of petitions, and the sheets for signatures, apply to me at once, and your wants will be immediately supplied."

6572. Have you anything further to say about the petitions?—Nothing further that strikes me.

6573. With regard to the statement with respect to the house-to-house canvass which we have heard of in that district, have you anything to say to the Committee?—I was present when the Rev. Mr. Murphy gave evidence with respect to the canvass of a large number of workshops and a large number of streets and courts. From my own personal knowledge of the number of men employed in several of those workshops, and likewise from my personal knowledge of the number of houses in the several streets which he mentioned, I felt that there was no comparison between the number signing both for and against and neutral, as represented by the Rev. Mr. Murphy; and also that there was no comparison between the number of houses in the streets he named in the same way for, against, and neutral, and I therefore felt it my duty to ask from the Protection Society some assistance to ascertain for myself with reference to those particular work-

shops something concerning them, and also with reference to the number of streets.

6574. Did you ascertain any facts with respect to them?—Yes; I had a gentleman in whom I have the greatest confidence, and who has favoured me with a report of somewhat a voluminous character, but still it is obliged to be so, I think, as embracing the very important question upon which he was requested to get me information, and this is the result of his report. Mr. Murphy, in his evidence at Question 5427, gave the Committee the result of a canvass which had been made in different streets in the borough, and at Question 5428, in answer to the honourable Chairman, he states that they were all householders; and at Question 5430, he again repeats that no lodgers were canvassed. I have gone to the trouble of having most reliable gentlemen sent out to inquire into the truth of this statement, and I have had tables prepared containing the names of all the householders in the different streets mentioned in and adjoining the New Cut (those tables I have with me), and the result is different to what has been represented to this Committee. Mr. Murphy stated that in New-street, which runs parallel to the New Cut, 18 were in favour of entire closing, 10 against it, and one was neutral. According to the return which I propose to deliver in, 25 are against closing, 11 for closing, two neutral, and seven were not at home. With regard to the remark that in the former canvassing no lodgers voted, the gentlemen who called at No. 36, New-street, were informed by the landlord's son (Mr. Ford), that five of them had signed, in that house alone, for closing; in Gray-street Mr. Murphy stated nine were in favour of entire closing, 15 against, and three neutral; the canvass which was made in this street proves this not to be so; honourable Members will find each householder's name and address in all the returns which I propose to deliver in, and in the case of Gray-street, 30 are against closing, seven for closing, two neutral, and two not at home; at No. 31, a house held by Mr. Williams, three men signed the former petition for closing; at No. 32 the name was refused, but the gentlemen were informed that the landlord and four lodgers had signed the other petition. In Wootton-street, according to Mr. Murphy's figures, there were 34 in favour of entire closing, 17 against, and seven were neutral. According to our return, 34 are against closing, 20 for closing, two neutral, and 10 were not in when called upon. The wives were seen in most of these 10 cases where the husbands were not at home; and though some gave their vote against closing, it was not put down, so that every case can be entirely relied upon. In Mitre-street, according to Mr. Murphy's figures, 21 were in favour of entire closing, eight against, and three were neutral. Our canvass proved 19 to be against closing, 14 for closing, three neutral, and four not at home. In Queen-street, Mr. Murphy makes it appear that 26 were in favour of closing, three against, and six neutral. Our returns show 23 against closing, 17 for closing, four neutral, and two not at home. In John-street, Mr. Murphy gives 12 for closing eight against, and three neutral. Our returns show four against closing and five for closing. In Sidwell-place, Mr. Murphy states that eight were in favour of entire closing, four against, and none neutral. The fact is, that there are only 13 houses in Sidwell-place, and of these our figures

figures show nine against closing, three for closing, and one not at home. Mr. Thomas Hunter, of No. 9, Sidwell-place, canvassed that street, and the contradictions were obtained in his presence; and when asked how it was that he delivered in such a false return, he made use of the remark "that they were rounding;" which means that the men who had formerly signed for closing were now signing against it. But there is not the slightest truth in saying that they ever did sign the other way.

6575. Mr. *Knatchbull-Hugessen*.] As I understand you, the gentlemen who obtained the signatures in favour of closing, now said that they were coming round?—Yes.

6576. But that your return denies; and you say that there is not the slightest truth in saying that they ever did sign the other way?—With the permission of the Committee I will now deliver in these returns (*delivering in the same*). I will only say in this point that such facts as these prove the utter worthlessness of the so-called canvass on the other side; those are returns obtained by a gentleman who was associated with the Committee in opposition to the measure previous to its being referred to the Select Committee, a gentleman in whom I have the greatest confidence, who is perfectly prepared to come here and state to this Committee the truth of what I have been saying, and he has allowed me to say that he is prepared to justify every word that he has there said, and that those returns contain the names of every person in the streets to which I have referred, as far as he could obtain them. I did not know that there was one exception, but according to this it appears there is.

6577. Mr. *Locke*.] Have you anything to say with regard to the returns from the workshops which were mentioned by Mr. Murphy?—Yes; the Rev. G. M. Murphy was again asked, at Question 5432, "The working men as a whole are in favour of entire closing, are they not?" And he replied, "I think they are. If the Committee would allow me I have here the results of a workshop canvass partially on the South of London, with which I am personally conversant." Then follows a list of the different firms which he represented had been canvassed. In the first place there is Messrs. Cassell, Petter, and Galpin. They employ 430 men and 70 women, and I have the authority of the gentlemen in the counting-house and several of the workmen for saying that no such canvass took place. The next firm mentioned is that of Price and Co., Candle Works, Battersea. They employ about 350 men, besides boys and girls. No canvass whatever has taken place at his establishment. In fact, no one would be allowed on the premises. Then comes Cockerell & Co., coal merchants, who employ 17 men. I have the authority of Mr. Cockerell for saying that not a single man in the Abingdon Wharf is a teetotaler, and that it is not likely any of his men could have signed in favour of closing on Sundays. Then he mentioned Doulton & Co., Lambeth. Inquiries have been made at the counting-house and in the different yards, and not

a single man has been canvassed, though there are 14 men on the establishment out of 240 who are total abstainers. The next is Braby & Co., slate merchants, Bangor Wharf, Belvedere-road, Lambeth, who employ 60 men. Mr. Braby made the inquiry himself of the men in the yard as to whether they had been canvassed or not, and the answer was that they had not been. The only way he could account for such a statement was, that his under-foreman, a teetotaler, was a friend of Mr. Jabez West. The next firm is that of Messrs. Peek, Frean, & Co., biscuit bakers, Dockhead, who employ 600 men and boys. Mr. Colborne, the engager, said that no canvass whatever had taken place on their establishment, or else he must have heard of it. Between 40 and 50 of the men themselves were asked the question and they knew nothing whatever about it. The next is Messrs. Broadwood's piano manufactory, Horseferry-road. I have the authority of the foreman for stating that a paper was left on the establishment for signature; but that every one of the men who signed signed "No," the question on the paper being, "Are you in favour of closing public-houses and beershops during the whole 24 hours on Sunday?" The next is the Phoenix Gas Works, who employ about 700 men. Inquiries were made at the counting house, and also of the men, with regard to the truth of the canvassing, and not a soul in the place had heard of it. In fact, they said it was highly improbable that men who have to work in such heat, and who have been accustomed to drink their beer, would sign to deprive themselves of the privilege of having a glass of beer when they wanted it, for they work quite as hard on Sunday as on any other day. I hardly know what "steamboats on the River Thames" applies to; but there are at least 500 men employed on the Iron and Citizen steamboats, and the Woolwich and excursion boats. Messrs. Gibbs, the leather dressers, could not be found; the next is Messrs. Olneys. Mr. Olney, junior, says that Jabez West knows several of the men in the yard; but that he did not believe any canvass had been made. He could only say that himself and his father had not been asked the question; they employ from 25 to 30 men. The next is Oastler & Palmer, and not Horster, as printed in Question 5433. They employ 300 men, and no canvass whatever has been made. The next is Messrs. Hepburn, and not Hebron, leather dressers. I have the authority of the foreman for saying that no canvass whatever has been made on their establishment. The last is Messrs. Corderoy, fellmongers. The men were asked the question whether any canvass had been made, and they all denied the truth of such a statement, and at the same time declared that if any such canvass had been made it was more than probable that they would have signed for keeping the houses open. The Committee will see that instead of there being 657 men employed as the Rev. Mr. Murphy would make it appear at Question 5433, there are 3,817 men employed; I do not think it is necessary for me to say another word with regard to this matter.

Mr.
T. Winter-
botham.
8 June 1868.

Thursday, 11th June 1868.

MEMBERS PRESENT :

Mr. Baines.
Mr. Berkeley.
Mr. Evans.
Sir James Fergusson.
Mr. Horsfall.
Mr. Locke.

Mr. Knatchbull-Hugessen.
Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

The Hon. F. H. FITZHARDINGE BERKELEY, a Member of the Committee, Examined.

Hon.
F. H. F.
Berkeley,
M. P.
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6578. *Chairman.*] You have a statement, have you not, which you wish to make to the Committee?—Yes; I wish to make this statement: the Reverend Mr. Matthews, a Baptist minister, and I believe a gentleman of respectability, was examined as to Bristol, and he gave it as his opinion that the community of Bristol were largely in favour of restrictive legislation. Mr. Matthews judged them from some canvass which had been instituted; I have nothing to do with Mr. Matthews on his opinions or his canvass, but he corroborated his opinion by a reference to me. In answer to a question asked him by the honourable Member for Chichester, he stated, in corroboration of the public opinion of Bristol, that Mr. Berkeley had a requisition of 1,500 electors to vote for Mr. John Abel Smith's Bill. At Question No. 6104 he was asked, "Was there an address largely signed presented to Mr. Berkeley upon the subject of this Bill?" That was the question which Mr. Abel Smith asked; to which he replied, "Yes; there was an address signed by upwards of 1,580 electors." Then I say that if the statement is to go forth that 1,580 electors signed a requisition to me to support Mr. Abel Smith's Bill, which is perfectly true, I have a right to have it stated that there were 4,000 electors who signed a counter-requisition, requesting me to do no such thing. Now, we have one thing in evidence, and we have not the other. I likewise may add, that in addition to the body of 4,000 electors who requested me to follow my own will entirely, and not to be induced to vote for Mr. Abel Smith's Bill, there was another body of 500 or 600 electors who sent in their names for the same purpose; I think that statement should stand by the side of the first requisition.

6579. *Mr. John Abel Smith.*] I do not quite understand what the honourable Member means by saying that there were 500 and 600 in addition to the 4,000?—A number of names came in, as far as I can recollect, in addition to the 4,000, amounting, I think, to between 500 and 600 electors; I cannot speak positively upon that, nor do I rely upon it, but I rely upon the fact that there were 4,000 signatures to the requisition requesting me to do the exact contrary to that which Mr. Matthews, the Baptist minister, stated.

6580. May I ask you whether the address

signed in favour of the Bill was not a public one, and published in the papers?—I cannot tell.

6581. You never saw it in print?—I cannot tell you.

6582. Was the other ever in print?—Never.

6583. Was it ever mentioned in the papers?—Not that I know of; it may have been published in the newspapers, but that I do not know.

6584. Your memory does not serve whether it was ever alluded to in the newspapers at Bristol?—The 4,000 was alluded to, I think, in the newspapers, and published in a letter from me, stating what it was my intention to do on that matter.

6585. Can you tell me when that was?—I cannot tell about the date; do you wish me to state what those intentions which I stated were?

6586. No; I do not in the least; but I wish to know whether or not there was any public knowledge of the address which you say was signed by 4,000 people?—There was my recognition of the address publicly made, and it was a matter of comment in all the papers.

6587. It is a very curious thing that I should not have heard of that before?—I thought it a very curious thing that you should not have mentioned it.

6588. I never heard of it before, and I do not think it is generally known?—I do not know that it is not generally known; and I will answer for this, that there is scarcely a witness who comes up here that cannot speak to it.

6589. *Mr. Baines.*] May I ask whether the requisition from the 4,000 persons was that you would do the reverse; that is to say, vote against Mr. Abel Smith's Bill, or was it that you would exercise your own judgment?—It was, that I would not in any way be biassed by the teetotalers and interested persons who had sent up the former address, but that I would take my own way.

6590. It was not that you should vote against the Bill?—No, but it amounted to that.

6591. *Mr. John Abel Smith.*] The fact is accurately stated that you did receive an address signed by 1,580 people in favour of the Bill?—Yes, certainly; I have no objection likewise to make the admission that amongst those men were some of the most respectable gentlemen in Bristol.

Mr. THOMAS WINTERBOTHAM, called in; and further Examined.

6592. Mr. Roebuck.] On the last occasion on which you were here giving evidence, you made statement respecting a canvass made on the south side of the river in the various workshops mentioned in your evidence?—I did.

6593. Were the inquiries that you instituted, made respecting that canvass?—There were three gentlemen employed, but one especially, with regard to the workshops, who individually did it, and who is here to-day prepared to substantiate the report which he made to me.

6594. What is his name?—Mr. Rowland; he is here to-day; he has also sent me a supplemental statement of the same kind; I do not know whether you will have it from him or from me; and likewise an additional number of streets and names, such as Mr. Murphy pointed out in his evidence.

6595. Chairman.] Were they procured by this gentleman?—Yes.

6596. Mr. Roebuck.] You have had a long experience, have you not, as the landlord of Peel's Coffee-house?—I have not been at Peel's Coffee-house much more than six years, but I have been engaged in the business altogether 36 years; I have been 29 years in business for myself, and have never been out of it.

6597. During that long period of time, have you remarked any special and peculiar change in the habits of society as regards drinking?—I have seen an evidently marked improvement steadily progressing, and an increase of self-respect in the working classes especially, and a general improvement of a character, that any one who has been identified with the working classes at all, could not possibly have avoided seeing.

6598. I take it that the persons frequenting Peel's Coffee-house do not come under the class of working men?—We have a large number in the front part of the shop that especially come under that class.

6599. How have you the means of ascertaining the general habits and manners of the working classes?—I ascertained those things from almost constant personal communication, not so much within the last four or five years; and also from the observations that I make of them as I see them in public, and the lesser amount of trouble that we have in conducting our business now than what we used to have some 35 or 36 years ago.

6600. As regards what may be called the gentlemanly part of the persons whom we are talking about, there has been a marked change in their habits, I think, within the last 30 years?—I have no doubt that there has, but personally, at that time, I was keeping another description of house, and I had not so much opportunity of forming an opinion of the habits of members of the professions in the metropolis as I have since; with them now I have no difficulty.

6601. At the present time would you not say, generally speaking, that that professional part of society are upon the whole a sober and well-behaved set of people?—Unquestionably.

6602. And that has been under the present state of the law?—Perfectly so.

6603. Has a corresponding, or anything like an equal change in the habits and the manners of the working classes taken place within your 0.69.

recollection?—I am only able to speak of the change in the working classes; as I stated before, I have not had so much opportunity of forming any opinion with regard to the professional classes as I have had these five or six years, independently of meeting them occasionally within my own circle, and at other places; but as a matter of business, I have not had the same opportunity of forming an opinion on their habits and tastes that I have had continuously with reference to the working classes.

6604. With respect to the working classes has there been a marked change within your time in their habits and manners?—Most marked.

6605. Would you say that now, generally speaking, they were a sober well-conducted body?—The majority, most certainly, and a large majority.

6606. I suppose that amongst them, as amongst every other class of society, there are good and bad people?—No doubt about it.

6607. Have you known, or can you tell us whether you think the number of bad people has diminished or increased under the present state of the law?—I think that it has diminished; but I think I stated to the Committee at my previous examination, that I do not attribute that entirely to the present state of the law. I think I gave reasons then, as I have just given them now, with respect to the self-respect of the people, and I attribute it as a very assisting cause to that increase of good behaviour to the facilities that people have of getting away from town on the Sunday.

6608. In your time the change took place under Sir George Grey's Act, which made them shut up the houses after one o'clock?—Yes, that is very recent.

6609. Have you seen any marked change; it was followed, we are told, by a remarkable diminution of bad behaviour in the streets of London; are you aware of that?—I am no further aware of it than that I hear of it by common report; because, as a rule, I never kept my house open after twelve o'clock at night, under any circumstances. I have been out occasionally after twelve o'clock at night, but I have not been sufficiently out to be able to form any opinion as to any great change having taken place.

6610. Do you recollect the time at which Mr. Wilson Patten's Act was in force?—Perfectly.

6611. Did that Act produce any marked change in the habits of the people?—As far as I saw of the working of the Act it did not produce any marked change, excepting that it produced a great deal of dissatisfaction. I was not aware, nor did anything come within my knowledge, that proved at all that there was any marked change effected by that Act during the short period that it was in operation.

6612. With regard to the efficacy of the means that you have spoken of, as producing an improvement in the habits of the people; I take it that since the repeal of that Act they have been rather increased in their efficacy?—I should think, perhaps, that they have been; but I do not think that there are so many excursions now as there were then out of London; but there has not been the same difficulty with regard to inconvenience arising since the houses were kept open till 11;

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and therefore it has not been specially brought to my notice.

6613. Do you think that the houses being kept open till 11 o'clock in the evening is a thing that is required by the habits of the working classes?—Yes, by a very large number of them.

6614. Will you explain why that is?—I think it will be in the recollection of the Committee that I stated that there were a large number of persons who were legitimately engaged in their business on Sunday night. I referred particularly to omnibus drivers and conductors, cabmen, stablemen, and those employed particularly in the mechanical portions of the press, compositors, printers, and others. I feel that the taking off of an hour from them would be an inconvenience, especially to cabmen, and omnibus men, and others, who, particularly omnibus men, scarcely have an opportunity of obtaining any refreshment during the latter part of the day, till they are really going or have gone home. They would especially suffer; and there would be a large amount of inconvenience, as it was before, with regard to those who undertake excursions out of London. They would be more especially the classes who would be inconvenienced by it. But, independently of that, a large number of the public who were returning home, assuming the houses to be closed at ten at night, would have either to go without what they would be very much in the habit of taking, or they would have to take care and provide it before that time, leaving it in their house, perhaps, during the whole time they have been away.

6615. Mr. Horsfall.] You stated, I think, that you have noticed a great improvement amongst the working classes with regard to their habits of sobriety; how have you had an opportunity of testing that?—Only by personal observation amongst them; and as I said in reply to a question just asked me by the Honourable Member for Sheffield, the less number of drunken persons coming into the house, and the less amount of trouble and difficulty in doing business. That is the special mode by which I have an opportunity of testing it.

6616. You speak more particularly of your own house, I presume?—I speak of the trade generally. I mix very much amongst them. I am continually amongst them, and continually hearing their opinions and their judgment. I may say, further than that, that I have seen for myself cases where, in my judgment, the husband has been induced to take his wife and family out on Sunday; I have seen them more respectably dressed, and better conducted, and somewhat vie with each other for the same opportunity of giving their families the same enjoyment as others.

6617. You further stated that great dissatisfaction had been expressed with Mr. Wilson Patten's Act?—It was so.

6618. How was that shown?—As far as I was individually concerned, it was shown by constant complaints from my customers. It was shown publicly by the difficulties that occurred at Hyde Park, for instance, and certainly by the opinions of a large portion of the public press at that time. The ordinary sources of information, I think, conveyed that dissatisfaction to an extent which, I venture to think, had some influence upon the House of Commons in its repeal.

6619. Did not the Hyde Park riots arise out of Lord Robert Grosvenor's Bill?—I have no

doubt that the immediate cause of the Hyde Park riots was Lord Robert Grosvenor's Bill; but the public were then suffering under Mr. Wilson Patten's Act, with all its annoyances, and that rendered a large amount of assistance to the opposition to Lord Robert Grosvenor's Bill, and it made those riots assume the shape that they did assume.

6620. Do you recollect to what hours Mr. Wilson Patten's Act limited the sale of drink?—From five till 10 in the evening, and from one to half-past two in the morning.

6621. Do you think that the same feeling of dissatisfaction would exist under the improved state of society of which you have spoken, if further restrictions were put on?—I think there is no question about it; because I do not think that the dissatisfaction resulted from the drunkards. I think it resulted from those who actually legitimately enjoyed the article with which we were dealing.

6622. Then you would propose no alteration in the present law?—Most certainly, I think there is no necessity for any alteration in the present law, nor do I think it would be of any service.

6623. Mr. Knatchbull-Hugessen.] Can you tell me at all the number of licensed victuallers in England?—I think there are something like 60,000; but I am not prepared to answer that question positively.

6624. There is a very large amount of capital invested in the business, is there not?—Very large indeed.

6625. Do not these constant attempts to impose further restrictions produce great inconvenience and annoyance to the trade?—They do so, and they produce a difficulty with property which only those who are actively engaged in the trade can by any possibility conceive. Session after session one attack or other is made upon the interests of the trade; and as sure as notice is given of some movement in connection with it, so sure are there to be changes of houses. What we term a change of houses is a sale of houses, in reality, although they are technically termed changes. I say, so sure is that to be the effect until some decision is arrived at.

6626. Do not you think it hard that men carrying on a recognised and legitimate trade in the country should be exposed to repeated attempts to alter their trading regulations by fresh restrictions?—I think it especially hard. I think it more than usually hard upon a trade which is already subject to some of the most penal laws, certainly as far as property is concerned, that effect any trade in this kingdom.

6627. Therefore, as far as regards the trade, you would be glad to have some settlement of the question by which the trade would be left where it is?—Yes, I should be very glad to have some settlement of the question, certainly.

6628. Have you heard it said in this room that the promoters of this measure, or many of them, only regard it as an instalment?—I have heard that again and again in this room.

6629. Therefore if you and the licensed victuallers generally were even to consent to this as a compromise, you really have no hope by that of being released from the injurious agitation which has hitherto prevailed?—On the contrary, we see certainly that it would lead to further attacks, taking all common sense principles upon which a man can form an opinion.

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6630. That is as far as regards the trade; but as regards the public have you any doubt that there are a large number of persons that use public-houses on Sundays for legitimate purposes?—There can be no question about it.

6631. Have you any return as to the number requesting any particular house on any particular day?—I have no specific return upon that subject; but I may, perhaps, just mention this: I am concerning myself, as you will see, entirely to the metropolis and the metropolitan district. There are a very large number of persons who go some six or seven miles to gardens, not public gardens, but gardens that are very excellently cultivated. There is one immediately opposite my own private house, and there has been no difficulty here. I saw the gardener yesterday myself, who assured me that there were 200 persons in that garden on Sunday, and there was not a rose touched, or the slightest possible disorder in it.

6632. Have you any doubt that among the persons who do frequent public-houses on Sunday, the percentage of drunken and disorderly persons is exceedingly small?—I have not the slightest doubt that it is so.

6633. Taking those drunken and disorderly persons, do you imagine that any further restrictions in the direction contemplated by the Bill, would prevent those persons from obtaining drink and drinking to excess?—On the contrary, the difficulty that we have on the Sunday now, more results from those very persons obtaining, at the interdicted hours, and in an evasive manner, the drink that they have had an opportunity of getting; and half the trouble that we get with them, certainly up to two or three o'clock in the day, results from those persons having got it, and coming into our houses annoying us and our customers.

6634. You are of opinion that this would be certainly a violent interference with the usual habits of many people, and that being so, it would lead to evasion?—I think that there is no doubt about it.

6635. It has been stated to this Committee that publicans are promoters of drunkenness for their own interest; do you agree with that opinion?—I deny it *in toto*. I have heard in this room so many charges brought against the trade, of which I have the honour to be a member, that I think I must hardly expect to get credit in this matter for anything, unless I apply myself to something essentially practical; and I think, perhaps, I may be believed when I say that our interest is so diametrically opposed to drunkenness, that that in itself is a reason. I should like to take, and I could take, for a large number of men employed in our trade, a higher and bolder ground than that; but I will simply explain to the Committee what my view is with regard to this. Experience teaches me that a drunkard is not employed one-third of his time upon the average. Assuming then that we receive from him even the whole amount of his wages, he is really, as a matter of pounds, shillings, and pence not so serviceable a customer to us as a man who legitimately and regularly supplies his family with the articles in which we deal. There is another interested point of view, which I am bound to put in this way, because the charges made against the trade are such that I must put it in an interested way without desiring to take higher grounds. No man who has a drunken man in his house can expect but that he will have

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the effect of keeping out a large number of people who are a better class of customers; because after all, although a large number of men go into public-houses and take too much, they are a miserable minority as compared with those who continually use the public-houses for what they believe to be legitimate enjoyment, and legitimate necessity; and therefore, all the drunkards are, as a matter of interest, the most dangerous and injurious customers that can come into a house. I may say with regard to myself, and I know that it is so with a large number of the trade as well, that one of the most distinct instructions given to those serving behind the counter, is that they shall, under no circumstances, serve a drunken man.

6636. If this Bill should become law, do not you think that a certain inconvenience would result with regard to the number of legal proceedings which would be instituted, especially with regard to a *bonâ fide* meal, owing to the great diversity of opinion as to what may be termed a meal; for instance, one man takes a mutton chop, with a glass of ale for his luncheon, and another takes a biscuit, with a glass of ale, or a glass of wine; do not you think that the legal proceedings would be very vexatious, and very numerous?—I think there can be no question about it. When I was under examination on Monday, I stated then what I hope will be the case if this Bill passes into a law, that I hope the House of Commons will define what a *bonâ fide* meal is; for leaving it open in the way in which it now is, whether it is breakfast, dinner, tea, or supper, or luncheon, or how long a man is to be taking it, or whether the publican is to supply the man during the whole time he is taking it, when he is to begin and when he is to leave off, or what is to regulate the conduct of a licensed victualler, I do not know, unless the House of Commons itself will decide what a *bonâ fide* meal is, in a manner that cannot be misunderstood in the Act of Parliament which refers to it.

6637. With regard to the petitions which have been presented against this Bill, it has been stated to the Committee that some at least of them were hawked about the street and signed by boys, and by some persons more than once; may I take it from you that as far as regards the great bulk of the petitions presented under the auspices of your society, you, of your own knowledge, can state that that is not the case?—I can only state of my own knowledge the express instructions that were given, which were of the most stringent character, that every petition which came into the office, and was presented through the instrumentality of the protection society, was examined with the most scrupulous care, and the instructions were distinct. I read them in my evidence on Monday. Those instructions were of the most distinct character, and I have no reason to believe, from the reports of the gentlemen in whom I have the most perfect confidence, but that all of those signatures were the *bonâ fide* signatures of grown-up persons, neither girls nor boys.

6638. Mr. Roebuck.] Have you any account of those petitions that were rejected by you as not having been signed under the rules that you have laid down?—I have no account at present; but I think it more than likely that I could furnish the Committee with an account of those that were rejected, or something like an approaching number.

6639. Can you say that some have been rejected?
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jected?—Most certainly; and they have been torn up.

6640. Mr. Knatchbull - Hugessen.] Do you know whether any number of those petitions have been rejected by the Committee of the House of Commons, which has to examine into the authenticity of the signatures, and who do frequently reject petitions from being written in the same handwriting, or bearing upon them internal evidence of not being authentic?—I have watched with great care the publication of the report upon petitions, and as far certainly as I have seen, I do not believe that a single petition was rejected which was presented against this Bill.

6641. Can you say the same of the petitions which were presented for the Bill?—I have seen the report from this House, which distinctly states to the contrary.

6642. Mr. Horsfall.] When did you see that report?—Shortly after its publication. It was an authentic report published by the authority of the House.

6643. Mr. John Abel Smith.] You never heard that beer was given in exchange for signatures to those petitions?—Most certainly not.

6644. You do not believe it?—I do not believe it; and any man who would have stated to the movers of that opposition that they had done so would have been met with certainly an amount of treatment which I think he would hardly have failed to have deserved.

6645. Will you allow me to ask whether you have got before you a copy of your examination last Monday?—Yes.

6646. Will you do me the favour to refer to question No. 6529. My question was, "Do you say that you made a compromise upon that occasion?" and will you be so good as to read your answer?—"A compromise was effected upon that occasion, as I have already stated, on the recommendation of gentlemen of the House of Commons, who felt that there was a danger that we should get the worst that was proposed, and therefore I, in common with others who were acting with me, felt that we were doing our duty to the trade, and doing the best we could do for the public (for there was no public organisation at that time) to accept a certain portion of the closing rather than run the risk of a division of the House upon the whole question."

6647. Will you be so good as to go to the next question, No. 6530, and read your answer to it?—"We thought we did it for the best, and we adhere to it. We did not feel it our duty, having made that compromise, to assist in any movement by which that Bill should be altered; and although a movement was made, in which the public joined and shared, by which that Bill was eventually repealed, we had nothing whatever to do with it."

6648. Then I understand that you accepted that Bill, and you took no means to interfere with its provision?—Most certainly not.

6649. Will you be so good as to look at this paper, and tell me whether you are not the Mr. Winterbotham who was present at a meeting of the licensed victuallers in Birmingham in the autumn of the year 1854 (*handing a paper to the Witness*)?—Yes, I was.

6650. Will you look at the resolutions which were then passed; they were carried unanimously, were they not?—As far as my memory goes, I could not say; but I have no doubt that this is a correct statement in the pamphlet.

6651. Will you state to the Committee what the nature of the meeting was?—This was a meeting of the central committee of the United Towns' Association of Licensed Victuallers, which was attended evidently by some delegates from London, and myself, it appears, amongst the number.

6652. What did you do at that meeting?—I must refer to this paper for a record of what did; but I have not the slightest recollection to enable me to tell.

6653. Was not it a meeting for the purpose of opposing the Bill?—It was a general delegate meeting, I think.

6654. Was not it for the purpose of opposing Mr. Wilson Patten's Bill?—Most certainly not, in my judgment.

6655. Have you any doubt about the resolutions being carried unanimously, because it is stated here positively so?—I have no doubt but what the statement there is correct; but I should say that I should have taken no part in the voting, being simply a delegate there from London, but I very likely should not have expressed any dissent from those resolutions, because, from what I see of them, I believe them to be all resolutions of truth, from the casual view which I have had of them.

6656. Is not that utterly inconsistent with the fact that you did not oppose the Bill?—I do not see any inconsistency in it at all; what I should call opposing the Bill would be precisely as we have done now, actively engaging in some direct positive course, and communicating with the Members of the House of Commons for the purpose of doing so in a very different mode to the mere passing of a resolution.

6657. Chairman.] You draw a distinction between a public expression of opinion and Parliamentary opposition?—I am drawing a distinction between the course that we ourselves should take with reference to a measure which we were actively opposing; while on the one hand we knew from the dissatisfaction which existed in consequence of the passing of Mr. Wilson Patten's Act, that we could not be supporters of that Bill, we felt that we were bound not to oppose the Bill actively, as we should have done had not that compromise been effected.

6658. Mr. John Abel Smith.] But you believe that this resolution was carried unanimously at that meeting: "That, in the opinion of this meeting, one recommendation of the Select Committee so immediately affects the rights, privileges, and comforts of the public at large, especially the working portion of them, that they will never tamely submit to such a restriction which is to entirely close all public-houses at 11 o'clock at night; a regulation too stringent to be carried out in cases where the law now provides differently, and calculated to cripple the necessary convenience, not only of numerous travellers, but of thousands whose occupations or amusements compel them to require refreshment, particularly in large towns after that period;" do not you consider that opposition?—It is not what I should call opposition; I have no doubt at all from the report that I see there, though I have no recollection of it, that that was presented to the meeting, and I could not have found any reason upon earth to have urged against that resolution, when I knew the inconvenience which the public were at that moment suffering; for although this compromise had been made which prevented me

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ing a party to an organised opposition, I should not have felt myself at liberty to have got up at that meeting, and have praised a Bill which I only accepted for fear that we should get something worse.

6659. Nobody is saying anything about praising the Bill, but you stated, as I understood you the other day, that you had accepted the Bill, and had abstained from all opposition?—Perfectly so.

6660. I ask you whether passing such a resolution in the autumn of that year was not opposition?—It was not opposition in the sense in which I understand opposition.

6661. You consider, when you use the word opposition, that it only means Parliamentary opposition?—That is much nearer than the opposition which I should accept as you put it; but I should just state that I think that my object in the answer which I gave was this, that there had been statements made in this room that the licensed victuallers had got up the riots in Hyde Park; I stated most emphatically that the protection society with whom I was acting, I know had had nothing whatever to do with them; and I stated also, and it will, I dare say, be in your recollection, that another society was formed in opposition to the protection society, because of the acceptance of that compromise, and I have seen this very morning one of the principal men connected with that society, in whose word I can place the strictest reliance, and he told me that they had nothing to do with it.

6662. I do not recollect anybody saying that it was the publicans who made the riots in Hyde Park?—Sitting in this room as a publican a good many things have been said which I recollect, though possibly you might not.

6663. It is very immaterial, I do not care about that at all; I want to ask you whether this was one of the resolutions passed, "That it is clearly shown by Parliamentary Returns that the vice of drunkenness in towns is in proportion to the number of public-houses and the facilities for obtaining intoxicating drinks, and this meets therefore of opinion that the proposal to throw open the trade under certain conditions to all persons who may think fit to apply for a license, is fraught with the greatest moral and social mischief." Do you still hold the opinion that the amount of drunkenness prevailing is in proportion to the number of public-houses?—I entertain this opinion, which would likewise have prevented me from opposing that resolution, that there are already a very large number of public-houses in the town which cannot obtain what I should call a legitimate living, and that they are compelled to resort to practices for the purpose of saving their little capital, and maintaining their families, which, unless there were this large number of public-houses, and the great amount of competition, they would not resort to; and I think were the already large number of houses to be increased by an open trade, I believe the consequences to the trade of which I am a member would be ruinous, and the consequences to the public would be most disastrous.

6664. Although you think, first of all, that if there was an open competition it would be disastrous to the trade, you still do think that the number of houses affects the amount of drunkenness?—I think that wherever there is an over number of houses it has decidedly that effect.

6665. There is nothing about an over number
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of houses here?—But that is my answer to your question. It is more than possible that I did not so carefully scan that resolution when it was being read at the public meeting, but that is my opinion, that where there is an over number of public-houses it results in inducements being offered by them unduly to do business, and that is disastrous and injurious to the public.

6666. If it is true that public-houses increase drunkenness, do not you think it is a question very worthy of consideration by Parliament, whether on the Sunday there might not be some limitation of drunkenness with benefit to the social habits of the people?—Although Parliament may feel, or Members of Parliament may feel, that the restriction of hours would produce a diminution of drunkenness, still I think that having already had before me the experience of Mr. Wilson Patten's Act, I am prepared to say most emphatically that, in my judgment, although it might save some few persons from getting drunk, who would perhaps get drunk by indirect and evasive means, still the amount of inconvenience would be so much larger than the amount of good to be done, that it would be unwise and impolitic in Parliament to attempt to pass such a measure.

6667. Then I quite understand you to think that the benefits derived would be disproportionate to the evil inflicted?—Perfectly so.

6668. I hope you will believe me when I say I am quite aware of your high personal character, and in any question which I put to you I hope you will not believe that I mean anything personal; but with regard to your own business you have two departments of your business, have you not; you have a coffee-house, in the ordinary acceptance of the term, and you have also a drinking shop?—Yes, I have.

6669. And the businesses are separate?—They are separated by means of partitions; a large portion of it, the coffee-house business, is upstairs. Perhaps I may just as well explain that I have in front what we call a general counter; I have attached to that, equally open, only divided by a partition, a luncheon counter, and I have then a passage leading upstairs equally open, and beyond that another luncheon counter; I have given you as nearly as possible a description of the house that I keep.

6670. It used to be more of a coffee-house, used it not?—That is some time since; it had assumed a different character when I took it, but I have turned it into a still more public character than it had before.

6671. With regard to the character of that house, is not the description of people who come to the house, and who use the house on Sunday, utterly different from the character of the people who go, for instance, to the New Cut?—We have two classes of persons; we have at this moment not so much of that class of persons who go to the New Cut as we had before the demolition of the neighbourhood which has been taken down for the new law courts. We had parties passing going to Drury-lane and all those places, and a large amount of low neighbourhood, which was there, and we had a large number of them calling in, and getting off from omnibusses, parting from their friends, going from Fetter-lane into Holborn, Gray's-inn-lane, and so on; and we still have many of them.

6672. Can you give the Committee any idea as to your sale on the respective days of the
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week, whether there is more sold on Sunday or Saturday than on other days of the week, and so on?—We sell on the Sunday certainly two-thirds less than on any other day; there is very little difference in the takings during the other days.

6673. If you sell only one-third on the Sunday it becomes a matter of comparative indifference to you as to stopping that portion of the sale?—When I first went to Peel's Coffee-house I found it, as far as trade was concerned, in as miserable a state as any man could conceive, and to the question of Sunday necessarily I gave some attention. I kept my house open on Sunday; and I state, as conscientiously as I ever stated anything in my life, I kept my house open on Sunday because I believed that in the neighbourhood of Fetter-lane, where there are a large number of lodgers, and many men of that description, and in the neighbourhood which we have at the back of us, there was a legitimate want for the article in which we deal, and that I was not justified in closing on Sunday on that account.

6674. The fact is still unquestionable that the amount of injury to be inflicted by legislation upon you as regards Sunday drinking is comparatively small?—It would not be comparatively small taking it in the aggregate; it would be a large item in my profits; but I think I may venture to say that that is not the cause which induces me to take so active a part as I have taken in opposition to this measure, because I could do without it; but I believe that there are a large number of publicans who would be utterly and entirely ruined were it to pass.

6675. Will you point out to me any class of people who would be entirely ruined?—I believe that there would be more harm effected in the houses in the neighbourhood of the parks and houses from five or six miles out of London. When I say the parks, of course I mean the whole of them, all round the metropolis, and very especially Hampstead Heath, Peckham Rye, and other such places of public resort. I believe those persons would have to depend to a large extent for their profits upon the trade which they get on the Sunday during the summer time.

6676. Do not you think that some of the low public-houses would suffer also seriously?—I think that they might suffer and perhaps be less able to afford the loss of it.

6677. It might entail the shutting up of some of those houses?—I believe there are a large number of public-houses that have just that difficulty to live and keep open, that if you take away from them one day's trade out of seven, in all probability it would have the effect which I have stated, of the shutting up of those houses, and the ruin of the people in them.

6678. But as regards the public drunkenness, it would have a good effect?—I do not think that I have said that, nor do I think that I have said anything from which it could be inferred.

6679. I am looking to your resolution?—I think even with reference to the resolution itself, it would not be very extraordinary if I had altered my opinion from that time to this, but I have not done so. I am of the same opinion at this moment as I was when I accepted on the part of the trade with some four or five gentlemen acting with me, which I venture to call a compromise upon Mr. Wilson Patten's Act. I

did that, not because I believed in the justice or expediency of the Act, but because the public as a rule never move in such matters until they find themselves inconvenienced, and in consequence of the important recommendations from Mr. Villiers' Committee, as I usually call it, that being so important a question, and those recommendations being that we should be only open from one to two, and from eight to ten, I only accepted that compromise in the fear that we should get a nine o'clock closing, which I think was the first proposition of Colonel Wilson Patten, and I think it was half-an-hour earlier in the day-time.

6680. With regard to that Birmingham meeting, was not there a resolution about petitions?—Yes, it appears that there was a petition for the abolition of the Sunday Closing Act.

6681. Was anything done about that?—I cannot charge my memory at all about it, but if anything was done it was done in the country; it was not done by any authorised society in London, with which I am associated. I am not going to say that it was not done by the society, which I have already told you sprung into existence consequent upon the compromise which we had effected. I had hoped that I had shown sufficiently clearly that I had nothing to do with it; and with regard to the other society, all that I intended to convey to the Committee was, that they, as well as ourselves, had nothing to do with the riots in Hyde Park, but I do not think that I did at all venture to say, and if I did, it would have been a very monstrous mistake, that the other society did not take very active measures to obtain the repeal of that Bill.

6682. But you have made a very important admission, namely, that the trade in London to which you belong, and in which you play so large a part, took no measures to get rid of Mr. Wilson Patten's Bill, by meetings in Hyde Park, or other means?—No, when I say the trade, I mean the trade in London. I have endeavoured specially to separate the two trades. I know positively that the society which was established in opposition to the protection society, did take most measures in concert with other societies in the provinces to obtain expressions of public opinion against the measure; but with reference to the Hyde Park riots, I again repeat that for ourselves we had nothing to do with it, and I had that from the leading man in connection with the other society, who distinctly stated that they had nothing to do with it, and I have the utmost reliance upon his opinion; but I have never intended to convey, nor do I think any words of mine have conveyed to this Committee that the trade in London had nothing to do with the opposition to that Bill; surely, I have never done that.

6683. You confine your observations strictly to those with whom you were connected?—Excepting only with reference to the Hyde Park riots.

6684. Is your house a free house, or is it a brewer's house?—I have no objection to answer that question. I do not know what effect it can have upon the question before the Committee; but it is as free as money can make it, and it belongs to me.

6685. Are there not a great number of low public-houses living with so small a margin of profit that they are obliged to have recourse to all sorts of undue methods to keep themselves going?—I have heard all sorts of wild statements with

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with reference to that. I know nothing of it; one-tenth of the statements which I have heard thoroughly and entirely disbelieve; but I really know nothing of houses situated in that way.

6686. With regard to the inconvenience which you allege, in the case of people returning from excursions, in that resolution you state that even 10 o'clock is an intolerable hour to close; and of course, therefore, you object to 10 o'clock closing. Who are the people who come to you after 10 o'clock? First of all, let us take the luncheon house; are there any people who come to you here after 10 o'clock?—Very seldom.

6687. Then it is totally confined to the drinking counter?—Our luncheon counter is open, and there is some cold meat, which sometimes is called for, and sometimes eaten, but not as a rule; therefore the bulk of the business is confined to the drinking counter.

6688. Are those people casual visitors, or are they habitual visitors?—The persons who come here between 10 and 11 o'clock are, to a large extent, persons who are passing through the City on their way home; persons who have been, perhaps, in some of the newspaper offices, or at least have been employed some way in the immediate neighbourhood, and cabmen, and a number of persons fetching their supper beer in their gigs.

6689. Do you contemplate any serious amount of inconvenience by their being restricted to the hour of 10 o'clock?—I contemplate a much larger amount of inconvenience than the Bill would produce good.

6690. That may be your opinion; but do you contemplate any serious or material inconvenience to those people if the hour was restrained to 10 o'clock?—If you are referring to the inconvenience which they would suffer from not getting what they require, I think it would be a large amount of inconvenience. I think it would be an extreme amount of inconvenience to any one walking from a railway station, some half or three-quarters of a mile, perhaps five minutes before 11 o'clock, to find that he could not go in and get a glass of ale or sherry, or a pint of porter.

6691. Why do you think that the same principles which affect every other trade in London should not be applied to publicans?—I think that the special laws which regulate public-houses are widely different from the ordinary laws which regulate ordinary trades, because the principle of the law with reference to ordinary trade is to let them alone, and leave it to their proprietors to do the largest amount of business that they possibly can.

6692. I meant with reference to Sunday closing?—I am endeavouring to reply to the question, by saying that there is just that difference between the trade of which I am a member and an ordinary trade. Parliament, as a rule, makes but little interference with ordinary trades, and leaves to the enterprise and energy of the proprietor of an ordinary trade an opportunity of increasing it, and gaining as largely by it as he possibly can; but, with regard to the licensed victuallers, there are a number of special restrictions and a number of severe penalties, and penalties which are not only inflicted as a matter of money payment, but they result sometimes in the loss of the license, and indeed in the ruin of a man. And along with those restrictions the law has, if I may call it so, established a certain ar-

range ment that they shall have seven days' trade, whereas, in ordinary trades, people have only six days' trade.

6693. You think it is a sort of concession in consequence of the various restrictions imposed upon the publicans' trade?—I think it is to prevent the pressure from the Parliamentary regulations which first created the trade and then restricted it.

6694. I ought to have asked you before, do you believe that the proportion of Sunday's sale, which you state is the case in your own business, would be a fair list of the ordinary public-house trade in the metropolis?—I really have no means of forming an opinion. Sunday trade differs very materially in some neighbourhoods; there are very large neighbourhoods where the Sunday trade is of vast importance. I am referring to London, not to the outskirts, because there, as I have already stated, it is a question almost of ruin. In other neighbourhoods which are differently constituted, it is not of so great importance. Only those who practically know the working of the trade, can arrive at any conclusion as to particular neighbourhoods how far the Sunday trade is of importance.

6695. Would it not be consistent with the opinions which you have expressed, I think very honourably to yourself, with regard to the effects of drunkenness and drinking in excess, and would it not be in favour of social order, if there were a restriction put upon those houses where the sale was greatest on Sunday?—I believe, in the majority of those cases the most legitimate sale that can possibly take place in our business takes place at houses of that description. A large quantity in the houses that I have described is fetched away at the various meal times, and a large amount is sold, more particularly in those houses to persons who are returning home to their various neighbourhoods.

6696. But the meal time, I imagine, would not be interfered with by this Bill?—No; it would not interfere with that.

6697. Do you believe that almost all the workmen in London dine between half-past 12 and half-past 2?—I should think the majority of them do.

6698. And they all, as a rule, sup before 10?—I should think it very likely. I really have not sufficient information to tell you.

6699. But you have no reason to doubt the fact?—No, I have no reason to doubt the fact; I have no reason to form an opinion either way. I should think it would be so, but I cannot speak positively upon it.

6700. Therefore, no inconvenience would be produced by this Bill with regard to that class?—No; not in the case of those who wanted to dine at home.

6701. It would be cabmen and omnibus drivers, and those engaged upon the press, and those engaged in night occupations, and in various trades on Sunday evenings, which is necessarily a limited number, is it not?—Yes. But there is another very important section of the public who would be very seriously interfered with, whom I have not named, and you have not named, and that is those passing to and fro from excursions and other places, which form a very large and important body of people of all classes.

6702. And you think that the temporary inconvenience to them is not to be set against what might be imagined the public benefit of diminish-

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ing drunkenness?—I do not admit that there would be any large diminution of drunkenness consequent upon the taking away of those hours of the night, and precluding persons from drinking in public-houses. I do not think that there would be any large diminution of drunkenness. I have already stated, I think, or I certainly intended to state, that some persons might be prevented from getting drunk by our closing an hour earlier, who, I think, are a very small and miserable minority, but I do not think it would have the effect of largely preventing drunkenness.

6703. Have you not heard a great deal of evidence in this room as to the fact of Sunday drunkenness being considerable, and having a very direct effect upon the comforts and habits and morals of the labouring man?—I have heard evidence in this room given with reference to the trade of which I am a member, perfectly astounding to me. I have heard our trade charged with promoting drunkenness, and I know that to be the exception and not the rule, wherever it is, and a very small exception. I have heard statements that Sunday drunkenness is the cause of all the crime and prostitution that exists in this country. I have heard the suggestion, that when persons die from drinking, the publicans should have to keep their families; and I have really heard such wild suggestions in this room that I hardly know how to accept, in some instances, almost anything that has been said with reference to the trade.

6704. Is it not the fact, that there is the widest possible distinction between such a house as yours and the low drinking-houses that prevail in London?—There is no doubt there is a distinction between my house and the houses existing in the Seven Dials, or in some of the lower neighbourhoods in London; but at the same time there are low people of the same class existing around those houses, and requiring the same amount as respectable persons who come into my house.

6705. I give you credit for wishing to conduct your house as respectable and properly as anybody can do anything in the world, but I believe there is a great distinction, is there not, between your house and the lower class of houses?—There is no doubt there is a great distinction; but I know many houses in low neighbourhoods which are conducted as respectably as my own.

6706. What I understand you to do is to state your conviction, first of all, that the Bill now before this Committee would be productive of great inconvenience, and inconvenience utterly disproportionate to the good which it would do?—That is distinctly my opinion.

6707. Therefore, you think that the inconveniences inflicted would be inflicted on a very respectable and deserving class, who ought not to be exposed to any inconvenience without a clear and equivalent reason?—I do.

6708. Are not the people employed in public-houses very generally in favour of Sunday closing?—That has been received as an accepted notion; I certainly know this of my own knowledge; I have something like six young men engaged in my business; whether they might perhaps have taken their cue from my own known opinions upon that point, I am not prepared to say, but most certainly I believe there is not one of them who is not as firmly opposed to this Bill as I am myself.

6709. Are you aware that there has been some considerable number of publicans and beer-house keepers who have petitioned in favour of the

Bill?—I have heard it stated to be so, but I do not think that that applies much to the metropolis.

6710. You do not believe that they have petitioned?—I do not think that that applies much to the metropolis; I do not say that there have been no petitions presented from licensed victuallers in the metropolis, because I am not sufficiently informed upon that point, but certainly if there have been, they have been but from very few, considering the large number of public-houses in London.

6711. How many are there in the metropolis do you think?—I think we reckon something like 6,000 licensed victuallers in the metropolitan district.

6712. How many are there, including beer-houses?—I should think something like 10,000.

6713. Mr. Baines.] I think you stated that you had heard that the petitions in favour of this Bill had been unduly signed?—I have heard certainly that they have been signed irregularly; I am speaking now entirely from what I have heard, I do not know anything about it of my own knowledge; but with reference to the petitions in favour of the Bill, I have heard that they have been taken to Sunday schools, and signed by Sunday school children again and again; I have heard that, and I believe you will have evidence from the country to prove that such has been the fact, but of my own knowledge I know nothing whatever.

6714. Did I understand you aright to state that you understood that complaints had been made in Parliament as to irregularities in signing those petitions?—My own opinion is, that I saw a Report from the Committee upon Petitions, in which they stated to the House that irregularities had occurred with regard to one or two particular petitions that were signed in favour of this Bill.

6715. I wish now to read to you that complaint which is addressed by the Select Committee on Public Petitions, and to ask if it bears out the statement which you have made. “Mr. Charles Forster reported from the Select Committee on Public Petitions, that they had agreed to the following special Report: Your Committee having in the course of their examination of signatures to certain petitions for restricting trade on Sundays, and for alteration of the law respecting weights and measures, observed that in nearly every case the signature on the skin or sheet on which the petition is written is obviously not in the handwriting of the person whose name is appended, but of one and the same individual who has affixed the different names to the different petitions, for the purpose of giving them a genuine appearance, thereby nullifying the Orders of the House respecting signatures to petitions; Your Committee are of opinion that such a breach of the Orders of the House ought not to be allowed to pass without some special mark of disapproval;” is that what you have seen in the papers?—I am really not certain, it may possibly have been that.

6716. That answers to the account which you gave?—Yes.

6717. I wish to point your attention to the fact that this speaks of petitions for restricting trade on Sundays; are you aware that there is a Bill now before Parliament, called the Sunday Trading Bill?—I am.

6718. Which is quite distinct from this Bill?—Perfectly so.

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6719. May I then inform you that the Chairman of this Committee, Mr. Charles Forster, formed me yesterday that the complaint was made, not with regard to all to the petitions in favour of the Sunday Liquor Bill, but altogether reference to these two measures, the Sunday Trading Bill and the Weights and Measures Bill?—I, of course, accept from you, and from the Chairman that statement, if that is the one which I refer.

6720. Then you would be willing and desirous to withdraw any imputation founded upon this statement, on hearing that authorised contradiction?—Most certainly, if I have founded my statement upon that report, I withdraw it most hesitatingly.

6721. Have you any other evidence which you can adduce before us to justify that statement?—do not at the present moment recollect; but I still have a lurking thought in my mind that I have seen something else.

6722. But you have no evidence to support that?—I have no evidence at all. If I had known I was going to be asked the question, I would have ascertained it.

6723. Will you refer to the answer that you gave on the last occasion that you were here, to Question 6565, where you stated, "Taking the population of London, which is something like 4,000,000, I do not think there were more than 2,000 persons charged with drunkenness, and crimes arising out of drunkenness, within 12 months;" do you still believe that to be correct?—I have here before me a copy of the return of the statistics of drunkenness on Sundays, procured by the Provisional Licensed Victuallers' Defence League from Sir Richard Mayne, showing the number of cases of drunkenness which have occurred between one o'clock on Sundays and one o'clock on Mondays, during the year 1866, by which it appears that the number of cases of drunkenness were only 606, and the number of cases connected with crime and disorder, 1,308; and the population being 3,785,245.

6724. If I were to tell you that Sir Richard Mayne has given evidence before this Committee, first as to the point of population, that instead of being 4,000,000, the population is 3,452,246, that would make a material difference, would it not?—It would certainly make a material difference, assuming that this return is an incorrect one.

6725. It proves that return to be incorrect, does it not, if Sir Richard Mayne has stated to us within a few days this fact, that the population is what I stated to you, namely, 3,452,246?—I did not know the exact figures. I had not the return before me at the time, but I have taken care to procure this since. I think I said something like 4,000,000.

6726. Taking the figures that I have read to you, it proves that you were about 550,000 over the mark with regard to the population, because instead of being 4,000,000, it is 3,452,246?—Most certainly, assuming that to be correct; but I think that I shall be able to hand in to this Committee the specific return itself, upon which this is founded, obtained direct from Scotland Yard; but I have not it with me.

6727. We shall be glad to see it; but inasmuch as this is a return, which has been handed in to us within the last few weeks by Sir Richard Mayne himself, I think at present we may rely upon it?—I would, perhaps, direct your attention to this, that although I have given a larger

number here with regard to the population, I have likewise given a smaller number with regard to the cases of drunkenness.

6728. You have thus stated the number of cases of drunkenness in the passage which I have quoted: "I do not think there were more than 2,000 persons charged with drunkenness, and crimes arising out of drunkenness within 12 months." If I were to tell you that we have received a return from Sir Richard Mayne himself, shewing that the number of cases was not 2,000, but 16,941; would not that make a material difference?—Not 16,941 on Sunday, surely.

6729. I wish to contrast the figures given by you here to-day with the figures given by Sir Richard Mayne; and if I am mistaken, I shall be most happy to be set right; but those were your words, "I do not think there were more than 2,000 persons charged with drunkenness, and crimes arising out of drunkenness, within 12 months?"—Most certainly I intended that statement to apply, as I believe the whole of my evidence was applying, to Sunday only. I believed that I was being examined here entirely with reference to Sunday.

6730. *Chairman.*] Question 6564 is this, "And you think that the facilities of leaving London by railway and steamboat on Sunday, has accelerated that improvement?" and your answer is, "I think very much so." Then you are asked, "Have you ascertained what is the number of charges before the police for drunkenness?" to which you reply, "I had occasion to look over some documents that were, I believe, forwarded to the Honourable Members of this House; and if my memory serves me right, taking the population of London, which is something like 4,000,000, I do not think there were more than 2,000 persons charged with drunkenness, and crimes arising out of drunkenness, within 12 months;" that was a slip in your answer, was it not?—I certainly intended it to apply to Sunday only.

6731. *Mr. Baines.*] That fully explains and probably justifies your figures, but they were liable to misinterpretation, because you stated that there were 2,000 within 12 months?—I should be exceedingly sorry to misstate anything, and you do me the greatest favour when you correct a thing of that kind, or give me an opportunity of doing so.

6732. You have stated that there might be great inconvenience in having the public-houses closed at a certain hour in the evening of Sunday; might there not be a still greater inconvenience in closing the shops of bakers, and butchers, and grocers, and greengrocers, and all who supply the necessaries of life to the working classes, not in the evening only, but during the whole of Sunday?—I do not conceive that it would be a greater inconvenience, because the habits and customs of people have been such that they have never been supplied throughout the whole of Sunday by those who deal in those articles which you have mentioned; but with regard to the articles in which we deal, they have almost from time immemorial had the opportunity of being supplied, in fact, very much later than in any other trade, and therefore the inconvenience, in my judgment, would be the more seriously felt, as it would be far a greater change in connection with our trade than it would be in connection with another trade which was not usually opened on the Sunday at all.

6733. You are aware, are you not, that your

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own trade has been subject, within the last few years, to very great changes in this particular respect; and that whereas all public-houses might have been opened during the whole of the 24 hours of the Sunday 30 years ago, now they are only open eight hours?—That is just one of the statements which has been made in this room which I am very anxious to correct. Public-houses never were allowed within 30 years or 36 years to be open 24 hours on the Sunday. They were regulated by the 9th of Geo. 4, which closed all houses during the usual morning and afternoon Divine service in the town or city or place in which the house was situated. It is one of those misapprehensions which have crept in before the Committee, and which I am glad to have an opportunity of correcting.

6734. But before that Act of the 9th of Geo. 4 they were open, or might have been open, by law, the whole 24 hours?—I can only speak of my own personal knowledge, for the last 36 years. I have been actively engaged in the trade during the whole of that time, and during that time they were regulated first by the 9th Geo. 4. As I have just stated, they were all closed up to one o'clock on the Sunday. A change afterwards took place by Mr. Wilson Patten's Bill, and subsequently by the repeal of that Bill; and another change has taken place, closing the houses at one o'clock by what is called Sir George Grey's Act.

6735. I want to know whether before that Act of the 9th of Geo. 4, the public-houses might have been open by law for the 24 hours of the Sunday?—I really do not know.

6736. If that was stated to us by Sir Richard Mayne here, you would think that, probably, he was correct?—I should think that Sir Richard Mayne's information upon that subject was not correct.

6737. Then I must set your opinion against Sir Richard Mayne's positive statement. I believe there can scarcely be any reason to think that he is mistaken on that point. Do not you think that when a magistrate who is at the head of the police speaks authoritatively before a Committee of Parliament, he is more likely to be informed than you, who do not remember what the Acts of Parliament were?—If you will pardon me for one moment, I have the Acts here, and I will show you the date of them. I cannot tell which law regulated it, for there were about 20 laws repealed by the 9th of Geo. 4, and I cannot tell which it is. I hope that I shall be understood by the Committee as not putting my word against Sir Richard Mayne's in the slightest possible degree. It struck me that the 9th of Geo. 4 was an earlier date than 1829. I know that it regulated the trade when I first had to do with it 36 years ago, and my impression was that the 9th of Geo. 4 was much earlier than that when I gave that answer.

6738. I asked you whether there was not some inconvenience in closing shops for the sale of the necessaries of life, and now I will ask you further, is there not some inconvenience also in the cessation of ordinary labour of every kind upon the Sunday?—I am free to admit that I cannot see any inconvenience in that.

6739. Then where is the inconvenience in closing the public-houses, if there is no inconvenience in the cessation of all ordinary labour; may not a person earn wages upon the Sunday, and

is he not prevented from earning wages upon the Sunday?—That depends entirely upon the persons, and the mode of their employment; there are means of earning wages on the Sunday now. If you take the large class of persons engaged in domestic service, either as engaged in a small description of house, or going higher up amongst the aristocracy, where a large number are engaged who are regularly employed on the Sunday they are earning wages on the Sunday. It does not appear to me that there are not, even now, a very large class who are earning wages on the Sunday.

6740. But is it not the general rule of law that industry shall not be carried on on the Sunday and that there shall be a cessation of labour on the Sunday?—I believe it to be the general rule of law, that mechanical labour shall not be carried on on the Sunday.

6741. Is not that attended with some considerable inconvenience?—I do not see that it is at all.

6742. Then you think perhaps that the convenience of having one day of rest in seven so vastly overbalances the inconvenience, that you can scarcely call it an inconvenience at all?—My impression is this, that there is not the inconvenience felt by what has never existed not being taken away, as there is felt when what has existed for a long time is taken away. The law with reference to ordinary labour has been in existence, I think (but I am anxious to be particular), since the reign of Charles the Second, and although it has been, and is now, commonly and constantly evaded, but more particularly in connection with the trading classes, still that law has acted, with reference to the mechanical classes, so that there is no inconvenience felt in what has been from time immemorial the same practice and the same mode of action.

6743. Do you think that the observance of a day of rest is a blessing and an advantage to the community, or the reverse?—I think unquestionably it is an advantage; but the day of rest is observed by many in those different shapes which they think most to be right or most to enjoy; there are numbers who feel that the day of rest should be one of gloom and continuous application to the performance of religious duties; I am not going to say one word against those whom I believe to be a very large number, who conscientiously feel that; but there are others who feel that their day of rest is properly applied and properly used when they take the opportunity which is afforded them of seeing nature and seeing certain portions of God's works that they cannot see without the sacrifice of time and the sacrifice of money on any other day; and they, too, I think, as legitimately, in my judgment, enjoy the day of rest, if their consciences justifies them in doing that, as those who think that the day of rest should be spent only in churches and chapels, or in the performance of Divine worship, or in the performance of religious duties.

6744. Do you think that there is not a very great amount of evil arising from the crowded gin palaces, public-houses, and beer-shops of the country on the Sunday evening?—I do not think that there is a very great amount of evil, and, as far as the metropolis is concerned (and I am very anxious not to go further than the metropolis, because I am anxious only to speak upon what I know), when you see that only 2,000 persons are charged on Sunday, during the whole year, not only

ally with drunkenness, but with crime arising out of drunkenness, I do not think that a serious amount of evil results from the opening of public-houses on Sunday.

6745. Are you aware that in Scotland the opening of the public-houses on the Sunday, and the sale of liquor, has been entirely prohibited for the last 12 years, with a very great diminution in the amount of drunkenness?—I am still anxious to confine myself to the metropolis, but I have heard just on the other side that there is a very great deal of drunkenness in Scotland, a little way from the public eye, but as much carried on as it was previous to the passing of the Forbes Mackenzie Act, to which, I presume, you allude; but I do not know that of my own knowledge.

6746. Are you aware that Mr. Mackie, who is in the trade of a licensed victualler for 30 years in Manchester, and is a member of the Council, has stated that he had been in business for 48 years of his life, that he had never opened on the Sunday; that he had reason to believe that he was more successful in that capacity than almost anyone in the business, and for this reason, that he made it a rule not to give drink to any improper characters, nor to young people, nor to irreputable people of any kind, nor to drunkards?—The opinion that Mr. Mackie has formed of the reason of his success in business I must leave entirely to himself; but what he stated in the latter part of his answer to the question that you put to him, I can say as safely and as justifiably as he can; and I positively say that, although I have kept open on Sundays during 29 years of my life.

6747. Are you aware that 756 publicans of Liverpool signed a canvass in favour of the total closing of public-houses on the Sunday?—I have heard so, but I know nothing whatever of it.

6748. Are you aware that this Bill, of which you have expressed so strong disapprobation, has received the written approbation of 69 mayors of boroughs, 31 chairmen of quarter sessions, and 48 justices of the peace in England?—I hope that I may speak without presumption when I say that I have no doubt of that fact, but that it would not in the slightest degree alter my opinion of the Bill.

6749. You have complained of the trade being subject to legal restrictions of a most vexatious kind; has not your trade always been subject to restriction and police control as long as you are aware of?—Perfectly so.

6750. What reason do you assign for those special restrictions, and that surveillance by the police over your trade which does not exist over other trades?—The reason I assign for it is, that the articles in which we deal may be sold improperly to improper persons, at improper times, and may do a serious amount of injury; but those are not the legal restrictions of a vexatious kind to which I refer. We have not only stringent laws to regulate our trade, laws which, in my judgment, are necessary, too, for the regulation of our trade, but we have besides that, what I do complain of, a second description of punishment, which is the endangering of our license and our property, even after that penalty has been paid.

6751. May I ask you, in pursuance of my former question, whether you do not think that the reason why the police are specially charged with the care of public-houses, and those restrictions are placed upon those houses, is, that public-

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houses produce drunkenness, and that drunkenness produces disorderliness and crime; do not you think that that is the reason most probably to be assigned for it?—I do not think it is the most probable reason. I think that the most probable reason is, that in public-houses drunkenness may be allowed, and that crime in all probability will result from it; but I do not think that it follows as a matter of course that the police restrictions are adopted because drunkenness does take place in the majority of public-houses; on the contrary, I believe it to be perfectly otherwise.

6752. Are you aware that during the time that Mr. Wilson Patten's Act was in operation the number of cases of drunkenness on Sunday brought before the magistrates, not only in London but throughout the kingdom, was very largely diminished?—I have heard that evidence given in this room; and I have heard added to that, that the cases on the other days in the week were very largely increased. I think I have heard that in this room also.

6753. Have you any evidence to show that?—I think I have heard it in this room.

6754. Have you any evidence to show it?—I have not evidence without going through the minutes; but my impression is that some magistrates gave evidence of that character. I am, of course, speaking only from memory.

6755. I think I have got from you the admission that you are not able to give any evidence upon that subject?—If you will accept it, I have an impression that such evidence was given; or, which perhaps would rather be a better answer, I have an impression of that character, which I will either endeavour to justify or freely retract.

6756. Mr. *Malcolm*.] The Honourable Member was comparing some evidence which Sir Richard Mayne had given with your opinion with regard to public-houses being regulated by law between 1831 and 1839. I see in Sir Richard Mayne's answer that he rather confirms what you said, namely, that they were under restriction, although that restriction was not enforced, which is quite another thing. His answer is this: "I think, practically, between 1831 and 1839, public-houses were not required to close at any hour on Sunday. There was a general law about closing during the hours of Divine Service, morning and afternoon" (which I take to be what you said was the case); "but, as I said, that law was nearly inoperative, if not wholly so, from the divisions of parishes and the different hours of Divine Service, both morning and afternoon"?—In 1839 I was in business, and I know perfectly well that that was so.

6757. Mr. *Berkeley*.] I believe you are perfectly cognisant of what passed both in the House of Commons and out of the House of Commons, with regard to Mr. Wilson Patten's Bill?—I am.

6758. You belong to a class of licensed victuallers, who rather consented to the Bill than otherwise?—I did.

6759. Are you aware that it was opposed in the House of Commons; does your knowledge go to that?—I think that it was opposed on the third reading; but I am not quite certain upon that.

6760. You are quite right, and I opposed it. You have stated, have you not, that under that Act the people suffered great inconvenience?—Certainly, that is distinctly my opinion.

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6761. You believe generally that it did?—I believe so, unquestionably.

6762. They required no telling, did they?—Certainly not; they told us.

6763. Are you aware that in many cases on the Sunday, from 1,000 to 1,500 people were put down at the terminus of one railway or another after 10 o'clock, and before 11, who were perfectly incapable of finding a crust of bread or anything to drink whatsoever?—Personally, of course, I should not be aware of that; but I know that it was the subject of common complaint and report. I may say for myself, that I had a number of individual complaints from my own customers, who had returned from excursions, and who knocked at my door, and were told that they could not be served; and they complained of my own conduct in being a party to consenting to that course, and also of the Legislature for passing that measure.

6764. Evidence of that state of feeling is to be found in the evidence taken before the Committee of which I was Chairman; but now as regards the satisfaction created by the course taken in the House of Commons in stopping the action of Colonel Wilson Patten's Bill, are you aware that general satisfaction took place throughout the country?—I believe that was so. I know in my own individual case it was so; and it appears to have been so in the case of a very large number of personal friends that I have, who are engaged in the trade.

6765. You have heard it stated, and you entirely repudiate it as regards yourself, and that class of the profession to which you immediately belong; but you do not in any way believe that those disturbances which took place after Colonel Wilson Patten's Act came into operation, were in any way attributable to the Licensed Victuallers?—I know that it was not so with regard to our society, and I have the utmost reliance on the testimony of a gentleman who was actively engaged in the society which endeavoured to repeal that Act, that they took no part in those disturbances. Of course the Committee may be aware that I am not speaking of individual licensed victuallers; I cannot possibly do that.

6766. Mr. Locke.] You stated that with regard to licensed victuallers, there are a great many laws affecting them. One of the laws affecting them is, as to the quality of the articles which they sell, is it not?—There are a large number of laws affecting them.

6767. With regard to whether an article is adulterated or not?—Yes.

6768. Does that apply only to licensed victuallers; are you aware that an Act was passed, which was brought in by the late Mr. Schofield, called the Adulteration of Food Act?—Yes, perfectly.

6769. And that applies to all persons who sell articles of food?—Perfectly so.

6770. Perhaps you are aware that that Act has not been fully carried out, in consequence of the different parishes not choosing to pay an inspector for that object?—Yes, I think I saw it only yesterday, or it might be to day.

6771. Therefore the same law has been attempted to be applied to other persons carrying on trades where food is supplied, as was applied before the passing of Mr. Schofield's Act to licensed victuallers?—I think that there had been many laws applying to the adulteration of articles previous to the passing of Mr. Schofield's Act, and I will tell you why I recollect that there have been. Some few years since the Excise left a notice at each house, which held a license under them for the sale of pepper, or tea, or any other article which a man was licensed to sell, and amongst others, we had one. Therefore, I know that it applied to other trades besides ours, and has done so for many years, I believe.

6772. But Mr. Schofield's Act, probably you are not aware, enacted that summary proceedings should be taken: before that a man was liable to be indicted at common law if he sold articles which were calculated to be injurious to health; but this Act of Mr. Schofield's gave an opportunity of getting a person before the magistrates and fining him for selling an adulterated article of food, bread, or anything else; are you aware that a Bill has been brought into Parliament (I forget the name of the Member who brought it in), for the purpose of amending this Act of Mr. Schofield's, obliging parishes to establish an inspector and likewise a medical man, to test the different articles in consequence of that Act not being effectual?—The only mode in which I can possibly be aware of this is the ordinary public prints; and I saw either that notice was given to introduce a Bill or that a Bill was brought in having that for its object; that is all I know of it.

6773. That Bill is brought in for the purpose of protecting the public against the adulteration of food, and separate Bills have been brought in for the purpose of preventing the adulteration of liquor?—I know but very little, if anything at all, of the provisions of Mr. Schofield's Bill.

6774. Mr. Knatchbull-Hugessen.] I find in the Report of the Select Committee upon Public Petitions, that upon the question of 16 petitions presented during the present Session in favour of the Sale of Liquors on Sunday Bill the Committee report thus, "Your Committee have upon the case of those petitions reported to the House the number of names appended thereto but they are of opinion that many of them are not in the handwriting of the persons whose names are attached, and that the Orders of the House which require that every petition must be signed by the parties whose names are appended thereto have not been strictly complied with." Was that the statement to which you were alluding when you cast some discredit upon some few of the petitions presented against this Bill?—Yes; that is precisely what I referred to. I thought the one read to me by the Honourable Member for Leeds was not the one that I had seen.

6775. Are you aware that the Committee only report in that kind of way when they have a very strong case, and do not believe many of the signatures to petitions to be reliable?—It has come to my knowledge that that is the case.

Mr. Alderman WILLIAM FISHER, called in; and Examined.

6776. *Chairman.*] WHAT are you?—A Merchant and Manufacturer in Sheffield.

6777. Mr. *Roebuck.*] I think you have been your life an inhabitant of Sheffield, have you not?—Yes.

6778. And you have been mayor of Sheffield?—Yes.

6779. You are at the present moment one of the town council of Sheffield; you are an alderman?—Yes; I am an alderman.

6780. Therefore you have had a long and very extensive experience as to the manners and customs of your native town?—Yes.

6781. Have you of late years perceived any alteration in the habits and manners of the working classes of that town as regards the subject of this Bill, drunkenness?—There has been a very marked improvement both in the manners and the habits of the people; there has been a very great reduction in the number of charges for drunkenness within the last 20 years. I think in 1849 or 1848 the returns showed one charge of drunkenness to each 120 of the population, and the last year's return was one in 250; but those figures do not show the whole of the improvement, because at the time that I first speak of we had one policeman to 1,050, whereas now we have one to about 800 of the population, and better ordered and managed force, so that a larger proportion of those who indulge too much in drink will find their way to the police cells than at the former period.

6782. That being your opinion as to the general improvement of the people in their habits of soberness, can you tell me anything about the operation of Colonel Wilson Patten's Act, which was in existence, I think, or in force about eight months?—All I remember of it is, that I was called upon by a requisition to convene a public meeting of the inhabitants of Sheffield to consider that Act, and it was a large open air meeting. I speak only from memory; but my impression is that the requisition which was received was from those who were in favour of restricting the open hours of public-houses, but the meeting went decidedly against it. There was a very strong feeling of objection to that reduction of one hour in the open hours of Sunday.

6783. Would you say that at that large open air meeting there was a majority of the persons against Colonel Wilson Patten's Act of restriction?—I have not been able to refer to the report, and my memory is not very certain, but my impression is very strong that the voting was very largely against the resolutions that were proposed by those in favour of restriction; those whose requisition caused the meeting.

6784. Have you any reason to believe that the feeling in favour of restriction has grown; that the people of Sheffield have changed their mind, and are now more favourable to restriction than they were at that time?—No; I should say not.

6785. You say that, having full opportunity of judging of the opinions of your native town?—Certainly; it appears to me that it would be felt as a very great hardship if restrictions should be put upon the population when the whole state of the town on Sunday—the state of the streets will show to any one knowing the town that Sunday

drinking is very much lessened since the time when two hours were added to the time of opening on Sunday.

6786. Since the time of the repeal of Colonel Wilson Patten's Act?—Yes.

6787. And since that time you say there has been that great improvement in the manners, habits, and customs of the people of Sheffield?—Yes.

6788. Should you say at this present time it was a correct representation which has been made to this Committee, that generally speaking a restrictive Bill of this character would be popular amongst the people of Sheffield?—My own experience would lead me to dispute that; some persons may be favourable to greater restriction; no doubt there are some, and they judge that the opinions of those they meet with are all on their own side; but I am satisfied that supposing this Bill to be carried, it would produce so much dissatisfaction in Sheffield, that it would be intolerable; and if I may say so without offence, I cannot but think that that is to some extent the opinion of the promoters of this measure; otherwise I do not see why the Metropolis should be exempted from its operation.

6789. You take an exception to any difference being made between large towns in the country and the Metropolis?—I think a country townsman would feel it very hard that he should not have some opportunity of getting at his relatives and friends in the country, or meeting his fellow-workmen or relatives or friends inside the tavern; he has no withdrawing room in his own house, where away from wife and children he can have his chat with his friend about politics or trade, or matters uninteresting to his wife or children, but which, some of them, though proper enough to be talked of, would not be desirable to be talked of before the wife or children. He wants to get a talk with his friend or his relative, and Sunday is especially his leisure day. It is also the leisure day of his fellow-workmen and his friends and his relatives; and the public-house is to him a sort of news-room and a study, and a place where he can get the most pleasure out of his spare time.

6790. Can you tell me whether there is any large number of persons at Sheffield who go out walking on the Sunday to the little villages around?—A great many of the population of Sheffield have been born in the villages around. The town is ugly and smoky, and the country is exceedingly beautiful about, and they pour out on foot, and by railway, and in vehicles in very great numbers. I live myself between three and four miles from the town, and, being a dissenter, I walk about fifty Sundays out of the fifty-two to Sheffield, to my own chapel, and I meet them as I go, and the numbers are very largely composed of the working classes, with some of a higher class.

6791. Would it be any inconvenience to those people who thus want to have their associations with their own class and with their own friends, to be enabled to find either on their way there, or on their way back, any means of getting a glass of beer?—Most certainly, unless they were teetotallers.

6792. Taking all your means of forming your opinion as a magistrate and an inhabitant of that town

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town, is it your opinion that the working classes would be in favour of a Bill that imposed those further restrictions upon what is called Sunday trading in liquor?—Most certainly the majority of the working people in Sheffield would be very much opposed to it.

6793. Mr. *Horsfall*.] Are you a magistrate of Sheffield now?—Yes, for the borough of Sheffield.

6794. And you have, as a magistrate, the means of ascertaining what you have stated, the diminution in the cases of drunkenness?—I have reports from the chief constable annually, and my own experience of cases brought before me goes in the same direction.

6795. Have you a stipendiary magistrate at Sheffield?—No.

6796. Then you act as a magistrate?—Yes; we have a clerk.

6797. The number of cases brought before you, according to your statement, have diminished one half during the last few years?—No, I do not say brought before me, but brought before the Sheffield Bench during the last nineteen years.

6798. Mr. *Evans*.] To what cause do you attribute the diminution of drunkenness in Sheffield?—The people read more books, and newspapers are cheaper. I think they get better wages in the main. They live in rather better houses, and the streets are kept more sweet and clean, and I think that the home and its surroundings are, on the whole, improved.

6799. Do you think that on the whole high wages have a tendency to produce sobriety, or the contrary?—I think high wages, if steady, tend to the sobriety of the working classes in the majority of cases; of course there are exceptions.

6800. In fact, you attribute the improvement very much to the spread of education?—To the spread of education, and having a better and more comfortable dwelling.

6801. Mr. *John Abel Smith*.] Have your opinions undergone any great change with regard to the propriety of restriction on Sunday drinking?—No, it was never brought very much under my consideration until the meeting which I referred to, which was held about the Act of Colonel Wilson Patten.

6802. Did you not entertain opinions in favour of restriction previously to that?—Until then I knew not much about the extent of drunkenness in the town. I then began to act as magistrate. For two years, as mayor and ex-mayor, and since then I have acted as magistrate for five or six years, and that has drawn my attention more to the evils of excess in drinking than before.

6803. How long have you been a member of the town council?—I should think about 20 years.

6804. Previously to 1852, were you in the town council?—I think so, but I have a very bad memory for dates.

6805. You cannot tell me whether you attended a meeting of the town council on the 13th of October 1852 (*handing a paper to the Witness*)?—I do not think that my memory will carry me back to speak with any confidence so far as that. I was mayor in 1854; this was a meeting in 1852; I think the mayor would very likely be Mr. Birks; I remember there being a report made to the town council on drunkenness in Sheffield, and I am sorry that I have not a copy of it with me.

6806. Perhaps you will have the goodness read the report which I have handed to you; is from your town clerk's office. There was meeting of the council on the 13th of October 1852, was there not?—Yes, it appears so from this; and this paper says, "It was resolved, that a committee consisting of Alderman Thomas Birks, and Councillors William Lawton, Isaac Ironside, Christopher Thompson, Charles Alcock, Thomas Turner, Nicholas Robert Holman, and George Lemon Saunders be, and is hereby appointed to inquire into the cause of the apparent excess of drunkenness in this borough; also to consider the best means for ensuring its decrease."

6807. In consequence of that did the committee make a report (*handing another paper to the Witness*)?—Yes, this was the report: "Your committee have also paid great attention to the effects arising from keeping public-houses open on the Sunday, their attention being particularly drawn to this point from the fact of the greater number of drunken persons being brought before the magistrates on the Monday. Mr. Raynor, (he was the chief constable of police), "stated it as his opinion, 'That it would be a great improvement if the public-houses and beerhouses were closed during the whole of Sunday, except for about an hour in the middle of the day.' I certainly does appear a strange anomaly that the places should be open for the sale of intoxicating drinks on the Sunday, while shops for the sale of the various useful and necessary articles of life are required to be strictly closed. It is quite necessary that travellers should be able to find refreshment and rest, but it can be neither necessary or wise that public-houses and beer shops should be open during the Sunday to the extent they are at present; and though your committee are not prepared to recommend that they should be closed during the whole of Sunday, they are of opinion that the sale of intoxicating drinks should not be permitted therein except to travellers, and they feel satisfied from what they have heard that most of the respectable publicans would be glad to concur in such a resolution."

6808. That report was presented to the town council?—Yes, it was presented to the town council.

6809. And accepted unanimously?—I have no recollection. I should think not.

6810. If I tell you that it was accepted unanimously, are you in a position to contradict it?—No, I am not.

6811. Were you present when it was so accepted?—I cannot recollect that.

6812. Will you refer to the list of those who were present on the other page of the paper which I have handed to you, and tell me whether you see your own name there?—This was a meeting on the 12th of January 1853. I was present then.

6813. Did you make any opposition to the acceptance of that report?—I do not recollect that I did.

6814. Is that consistent with the opinions which you have just expressed?—I do not see any inconsistency in them.

6815. Are you in favour of shutting up public-houses on Sunday except for travellers?—No, I am not.

6816. Why did you pass that resolution?—I suppose that resolutions are very often passed, being

being accepted as the report of a body who have considered the question; not that every one who does not hold up his hand against a resolution is supposed to concur in the whole of it.

6817. You do not consider the opinions in that report contradictory to those which you have just expressed to Mr. Roebuck?—Will you be so good as to say what is the opinion you refer to.

6818. That you are entirely against any further restriction?—Decidedly.

6819. You see that report is very much in favour of further restriction?—That report of the committee was in favour of restriction.

6820. And you were present and accepted it?—I do not think I concurred in it, although I might not have opposed it.

6821. Mr. *Knatchbull-Hugessen*.] Was any resolution passed adopting that report, or was it merely received as reports are?—I think it would be received and be directed to be printed, and probably without any positive expression of approbation or disapprobation on the part of the general council.

6822. *Chairman*.] You do not remember accurately what was done about that report?—I do not; there has been nothing to call it to my memory since that time until just now.

6823. Mr. *John Abel Smith*.] But it is in complete contradiction to the opinions which you have expressed to-day?—To the opinions of that committee decidedly, or it was so at that time.

6824. That is what I ask; have your opinions undergone a great change?—Mine have not undergone any change; I am not to be supposed to have approved of it simply because it was passed at a meeting at which I was present without my proposing it.

6825. Are you connected with the brewing trade?—Not in any way.

6826. Is your father-in-law a brewer?—My father-in-law, when he lived, was a brewer; he has been dead many years.

6827. Your brothers-in-law were brewers afterwards, were they not?—They were brewers while they were alive; they are both dead; there is no member of my wife's family in any way connected with the brewing trade now.

6828. Personally you have never had anything to do with a brewery?—No.

6829. I think you were chairman of Mr. Roebuck's committee, were you not?—At the last election I was chairman, along with another gentleman, of the joint committee of Messrs. Roebuck and Hadfield.

6830. Were there not separate committees?—No, they were working together.

6831. There were two chairmen, were there not?—Yes, joint chairmen.

6832. Were you not peculiarly the chairman of Mr. Roebuck's committee?—Yes, I considered myself so.

6833. And the other gentleman was the chairman for Mr. Hadfield?—Yes, certainly.

6834. You state that the number of police in Sheffield has been largely increased?—Yes, the number of police has been largely increased, and largely increased also in proportion to the population; it has increased more rapidly than the population.

6835. Were you chairman of a meeting in 1854, to consider the working of Colonel Wilson Patten's Act?—I was chairman of a public meeting at that time.

6836. Do you know anything about the work-

ing of Colonel Wilson Patten's Act?—It closed the public-houses at 10 o'clock instead of 11.

6837. I meant its operation upon drunkenness and upon crime; do you know anything about that?—I merely know that drunkenness has decreased very largely and steadily since then; I forget the precise figures, but I have no doubt the chief constable has given this Committee a return of them, and, on a consideration of them, it will be found that there has been a steady decrease since the repeal of Colonel Wilson Patten's Act.

6838. Do you recognise this paper as being a paper from the authorities at Sheffield (*handing a paper to the Witness*)?—I should suppose that it came from the town clerk's office.

6839. Will you turn over to the other page and read the two headings?—"For the 6 months prior to the operation of the Act, and for the 6 months subsequent to the operation of the Act."

6840. Will you read the numbers respectively?—I see that this is a return of the number of cases brought before the magistrates for drunkenness, on each Sunday during the six months immediately prior to the operation of the late Act; and prior to the operation of the late Act, it was 90 males and 16 females, and for the six months subsequent to the operation of the Act, 25 males and 7 females.

6841. Have you any doubt that that is an accurate return?—I should have no doubt of it; I see that the Vicar of Sheffield has signed it as a correct statement. I know nothing further about it than that.

6842. If that is true, did not it show the very beneficial operation of the Act of 1854?—That is a matter of opinion.

6843. But you do not think so?—If the apprehensions were upon the same principle in each six months by the police, it would show a reduction on Sunday.

6844. Have you any doubt that they were upon the same system?—I have no reason to suppose it is not the same system; there has not been any change at any time within my recollection, in the system on which they apprehend them.

6845. The system being the same, and the number being officially given, do you not think that it shows that the operation of that Act was most beneficial?—It shows that there was less drunkenness during the one six months than during the other.

6846. And crime also?—I do not know; it merely refers to drunkenness.

6847. The persons brought up before the magistrates on Monday for misconduct on the Sunday, I presume, have been guilty of something or other which justifies the police in bringing them?—They may have been so drunk as to be unable to take care of themselves, or they may have been quarrelsome and committed crimes.

6848. Do not you think that the reduction in the number of persons brought before the magistrates on the Monday in Sheffield shows that there was less drunkenness and crime under the Act of 1854 than there was previously?—There was less drunkenness.

6849. Does not the number brought before the magistrates prove that there was a diminution in drunkenness and crime in Sheffield on the Sunday?—Yes, I admit that.

6850. Do you not think that that is beneficial?—Decidedly.

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6851. Then

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6851. Then you approve of the operation of that Act of 1854?—I said that I thought it reduced drunkenness, but I find that since 1854 there has been a great decrease in drunkenness, although the open hours are two more than they were during that short period.

6852. The first operation of Mr. Wilson Patten's Act you admit to have been beneficial?—It appears to have been so from that Report; I do not say that from my own knowledge.

6853. Do you believe it to have been so?—Yes, so far as Sunday drinking was concerned.

6854. And since that you state that the diminution has gone on increasing?—Yes; I am informed by the chief constable, and I find that it consists with my own experience, that the cases of drunkenness are very rare now on the Sunday.

6855. The numbers are very small on that paper at the end of six months under the operation of the Act of 1854, and if it has gone on gradually diminishing, it must be reduced almost to a minimum?—I should like it to be much more reduced.

6856. Then it is not very much reduced since 1854?—The figures have been presented to the Committee; it is impossible to account absolutely for the little fluctuations; there are considerable fluctuations in drunkenness; it will vary a little with the state of trade and the state of the weather. I find, on looking through the reports of the last 19 years, that the reduction in drunkenness has been considerable almost every year, but occasionally there has been a little falling back, and there has been a little more drunkenness from causes which, no doubt, I could have defined at the time, but I cannot now.

6857. I do not in the least wish to overstate your opinions, but I understood you to have made a statement that your opinions, as expressed to Mr. Roebuck, are directly opposed to the opinions expressed in that resolution?—I think it is quite a different question as to whether I shall deprive a man who wants to make a proper and sober use of a tavern for the sake of the few who will go into excess. I do not think it is reasonable that I should do so, even if it abates drunkenness.

6858. Even if it abates drunkenness, you do not think yourself entitled to interfere with the convenience of those who want to drink?—No; that is my opinion, because some people want to drink properly. Nine out of 10, I hope; and I would not keep them thirsty for the sake of the one who would go to excess.

6859. You do not think that drinking moderately leads to drinking to excess?—I do not find it so in my own class, and in my own experience.

6860. And you do not believe that to be so amongst the labouring classes?—I think not.

6861. With regard to the opinions and feelings and wishes of the labouring classes in Sheffield, have you ever heard of a canvass of workshops which has been lately made?—I saw a return lately in the newspaper, I think, which professed to be a canvass at the different establishments in the town.

6862. Were those representative establishments?—I really cannot speak about that.

6863. Your own was not canvassed, I suppose? No.

6864. On account of your known hostility, perhaps?—I am not aware that my hostility is so known.

6865. At all events, it was not canvassed?—I never heard of it; it might have been so.

6866. Have you ever heard any exception taken to the fairness and honesty of that canvass?—I have not heard it spoken of; not to my memory.

6867. You have never heard any imputation upon it?—I have no reason to suppose that it was done otherwise than as canvasses are generally done. I have no experience of how petitions are got up; but I take it that if any one of good address asks a working man to sign a petition, unless he has a strong feeling against it, he will sign.

6868. How many men do you employ?—Only 25 or 30. Our business is chiefly dealing with raw material; not manufacturing so much.

6869. What is your business?—Supplying the raw materials for the cutlery manufacture; hard wood, deer horns, and a great many materials that are used for knife handles, and so on.

6870. As a magistrate, do you at all know the number of persons who frequent public-houses in Sheffield on the Sunday?—I can only judge from the little which comes before me. I never frequent the houses myself; but I believe many working men go there in the evening, whilst the wife is putting the children to bed; and they sit and chat, and smoke and drink, with their friends and neighbours, not generally abusing it.

6871. Have not the police made a calculation of the number who go there on a Sunday?—I am not aware of any such calculation.

6872. If you heard that there were 25,000 persons frequenting the public-houses on each Sunday, should you think that excessive?—I think, considering the circumstances of the working men, it would not be an extravagant number.

6873. Are there many women and young people who go to the public-house on Sunday?—I think not; that is my impression.

6874. Is drunkenness amongst women on the increase in Sheffield?—I have seen no symptoms of it, although I am accustomed to walk pretty much up and down the town, of course, as a man of business. There are occasionally cases of drunkenness amongst women which come before me.

6875. Have you any particular connection with the publicans at Sheffield?—No; I am not acquainted with any of them scarcely, except just by sight.

6876. Was there not some public meeting in honour of Mr. Roebuck at which you presided?—I do not remember; there may have been. I do not know any publican in the town with whom I should shake hands if I met him. I may know, perhaps, three or four who have called upon me to ask me to be a patron of a licensed victuallers' hall, or something of that kind.

6877. The publicans in Sheffield, as a body, are very favourable to Mr. Roebuck, are they not?—I should think so; they ought to be, I think.

6878. Do not you know them to be so?—I can hardly speak to that. I suppose they follow the views of their customers, some of them.

6879. Mr. Baines.] Is Mr. Webster the mayor of Sheffield?—Yes, Mr. John Webster is.

6880. Are you aware that he has signed a memorial to the Earl of Derby, praying that the support of the Government may be given to this Bill?—I do not know that; I have not heard it; it may be so; he is a gentleman of very independent opinions.

6881. Is Mr. Greenwood the chairman of the West

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West Riding of Yorkshire quarter sessions?—Yes, I believe so.

6882. Are you aware that he has signed the same memorial?—No, I am not; I never heard of the memorial.

6883. Mr. *Locke*.] With regard to this report which was brought to the town council by the committee, was any action taken upon it?—I cannot recollect that any action was taken. I fancy that it would merely be printed and entered on the minutes of the council's proceedings.

6884. Then if you were present at the particular moment when it was brought in, you did like the rest of them, you received it?—It was also considered a courteous matter not to send back a report.

6885. In fact, when the town council, or any other body appoint a committee to report upon any subject, they receive the report the same way as is done in the House of Commons; it lies on the table until it is printed, and there must be something very obnoxious for it not to be received?—Yes.

6886. Are you aware whether any action was taken upon it by the town council?—I have no recollection. My impression would be that no action was taken upon it.

6887. Mr. *John Abel Smith*.] Is not this not only received, but adopted by the town council at which you were present?—I fancy that that would be almost a matter of course.

6888. Mr. *Locke*.] What is the meaning of the word "adopted;" is it that it should lie on the table?—It is almost as a matter of course adopted as the report of any committee of the council.

6889. Does "adopt" mean "receive," or what does "adopt" mean?—The general phrase is that the report be received and adopted. I do not know whether it is in that particular case.

6890. Adopted as the report of that committee, or what?—The committee presented a report, which was adopted by the town council, and it would be entered upon the minutes of the town council's proceeding as the opinion of that com-

mittee; that would be the end of it, I have no doubt.

6891. That is the meaning of the word "adopted"?—Yes.

6892. Mr. *John Abel Smith*.] In your experience, have you not known any reports sent back to Committees?—I cannot say that I have.

6893. Do you never recollect one?—I should not like to say that there had not been one.

6894. Mr. *Roebuck*.] Do you know the mode of receiving reports in the House of Commons at all?—I do not.

6895. You do not know that the Chairman of the Committee, when we have done our duty here, will take the report, and stand at the bottom of the House, and say, "Report, Sir," and it is brought up, and then it is immediately laid upon the table, and printed and circulated?—I never was in the House but once, and there was nothing of that kind happened.

6896. Mr. *Locke*.] There was no action taken upon this report?—No action, I believe.

6897. Mr. *Knatchbull-Hugessen*.] If the adoption of that report meant that the council approved of it, would not some action have been taken upon it?—I think some petition would have been prepared, or some more permanent committee would have been appointed.

6898. Have you ever known reports presented to the town council, and adopted by them, upon which action has been taken?—Certainly; frequently.

6899. And did not that action express an active adoption, that is to say, that they adopted the opinion in the report?—Yes; occasionally a report will be on a matter which brings about action, but I find in this nothing but the expression of opinion of a certain committee after making some inquiries.

6900. And the absence of subsequent action would prove that the town council did not think the matter of such moment as to proceed any further?—I think so.

The Reverend GEORGE MOLLETT MURPHY, called in; and further Examined.

6901. *Chairman*.] I WILL read to you answers which were given by Mr. Winterbotham on the 8th of June, and which especially refer to your evidence. In Question 6577, Mr. Winterbotham was asked by the Honourable Member for Southwark, "Have you anything to say with regard to the returns from the workshops, which were mentioned by Mr. Murphy," and he replied "Yes;" and afterwards, he says, "In the first place there is Messrs. Cassell, Petter, and Galpin, they employ 430 men and 70 women; and I have the authority of the gentlemen in the counting-house, and several of the workmen, for saying that no such canvass took place." I will also refer you to what you said on that point; at Question 5433 you say, "We had a workshop canvass at Messrs. Cassell, Petter, and Galpin's; Price & Co.'s Candle Works; Cockerell & Co., coal merchants; Doulton & Co., Lambeth; at Braby & Co.'s, Limited; at Messrs. Peek, Frean, & Co.'s, Biscuit Works, and so on; and the result of that canvass showed 384 workmen in favour of entire closing, 214 against, and 59 were neutral." You having stated that the result of the canvass at those houses was, as you there mention, Mr.

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Winterbotham states, "In the first place, there is Messrs. Cassell, Petter, and Galpin, they employ 430 men and 70 women, and I have the authority of the gentlemen in the counting-house, and several of the workmen, for saying that no such canvass took place. The next firm mentioned is that of Price & Co., Candle Works, Battersea; they employ about 350 men, besides boys and girls; no canvass whatever has taken place at this establishment; in fact, no one would be allowed on the premises. Then comes Cockerell & Co., coal merchants, who employ 17 men. I have the authority of Mr. Cockerell for saying, that not a single man in the Abingdon wharf is a teetotaller, and that it is not likely any of his men could have signed in favour of closing on Sundays. Then he mentioned Doulton & Co., Lambeth. Inquiries have been made at the counting-house and in the different yards, and not a single man has been canvassed, though there were 14 men on the establishment out of 240 who are total abstainers. The next is Braby & Co., slate merchants, Bangor Wharf, Belvedere-road, Lambeth, who employ 60 men. Mr. Braby made the inquiry himself

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himself of the men in the yard as to whether they have been canvassed or not, and the answer was, that they had not been. The only way in which he could account for such a statement was, that his under foreman, a teetotaler, was a friend of Mr. Jabez West. The next firm is that of Messrs. Peek, Frean, & Co., biscuit bakers, Dockhead, who employ 600 men and boys. Mr. Colborne, the engineer, said that no canvass whatever had taken place on their establishment, or else he must have heard of it. Between 40 and 50 of the men themselves were asked the question, and they knew nothing whatever about it. The next is Messrs. Broadwood's piano manufactory, Horseferry-road. I have the authority of the foreman for stating that a paper was left on the establishment for signature, but that every one of the men who signed, signed "No," the question on the paper being, "Are you in favour of closing public-houses and beershops during the whole 24 hours on Sunday." The next is the Phoenix Gasworks, who employ about 700 men. Inquiries were made at the counting-house, and also of the men, with regard to the truth of the canvassing, and not a soul in the place had heard of it. In fact, they said it was highly improbable that men who have to work in such heat, and who have been accustomed to drink their beer, would sign to deprive themselves of the privilege of having a glass of beer when they wanted, for they work quite as hard on Sunday as on any other day. I hardly know what 'steamboats on the river Thames' applies to, but there are at least 500 men employed on the Iron and Citizen steamboats, and the Woolwich and excursion boats; Messrs. Gibbs, the leather dressers, could not be found. The next is Messrs. Olney's. Mr. Olney, jun., says that Jabez West knows several of the men in the yard, but that he did not believe any canvass had been made. He could only say that himself and his father had not been asked the question; they employ from 25 to 30 men. The next is Oastler and Palmer, and not Horster, as printed in Question 5433; they employ 300 men, and no canvass whatever has been made. The next is Messrs. Hepburn, and not Hebron, leather dressers; I have the authority of the foreman for saying that no canvass whatever has been made on their establishment. The last is Messrs. Corderoy, fellmongers. The men were asked the question whether any canvass had been made, and they all denied the truth of such a statement, and at the same time declared that if any such canvass had been made it was more than probable that they would have signed for keeping the houses open. The Committee will see that instead of there being 657 men employed, as the Reverend Mr. Murphy would make it appear at Question 5433, there are 3,817 men employed. I do not think it is necessary for me to say another word with regard to this matter." I will put this in your hand, and you can say what you like in explanation?—I should like first to state with regard to the house to house canvass, which was very strongly objected against by Mr. Winterbotham, that I have the signatures of each of the householders here, for the inspection of any honourable Member of the Committee; they are all in streets according to the number of houses. That was made a very strong point of by Mr. Winterbotham, and about a dozen different times it was authoritatively, as it appeared to me, contradicted by Mr. Winterbotham. We have here

the names of the persons signing, which I should be very glad to leave with the Committee; they are all according to the numbers, and they will not take 10 minutes to look through. With regard to Messrs. Cassell, Petter, and Galpin, I hold in my hand a letter from Mr. Henry Jeffery, one of the leading hands and official cashier to Messrs. Cassell and Co., and it is written officially: "La Belle Sauvage Yard, Ludgate-hill, E.C., London, 11th June, 1868." The inquiry was made by the Rev. Dawson Burns, and the letter was written to Mr. Burns: "Dear Sir,—In reply to your inquiry I beg to inform you that the canvass of the workmen in this establishment with regard to the total closing of public-houses on Sunday was made through all the departments at my instigation. The schedules were handed round on one day, and collected on the following morning. I then forwarded them by a messenger to your office. Although those in favour of the total closing of public-houses on Sunday, appear to be in a minority in this concern, I believe the majority are favourable to further restriction of the Sunday traffic, such as that proposed in Mr. Abel Smith's Bill; having been principal manager of the firm of Cassell, Petter, and Galpin for many years, my testimony upon this point may be considered of some weight.—I am, dear Sir, yours truly, Henry Jeffery." I should like to say, also, before going further, that Mr. Winterbotham, I suppose, kindly in consideration of my feelings, struck out of the report some very strong expressions; I should not have been in order in objecting to that then, but I certainly personally should have rather preferred that the report had given the strong expressions as they were; with regard to Price & Co., Mr. Jabez West, who, as I stated, made the canvass, and who is well-known to the honourable Member for Southwark, went on a Monday to see the manager; he was not in, but the time-keeper allowed him to stand in the lobby to distribute the papers, and he called the next day at dinner time, and collected them, in the same manner, and those papers are here as signed by the men. I may say here, also, in the case of Price & Co., as in the case of various other persons mentioned, there are different establishments, the whole of those establishments were not canvassed, but simply those portions which were, as in this instance, in the South of London; as to Messrs. Cockerell & Co., Mr. West says that he went down to the wharf and saw John Howlett, their weigher, and gave the papers to the men in their dining-room on the wharf, when they signed, and that the masters were not consulted at all, it not being necessary on a public coal wharf, and I have the papers here. With regard to Doulton & Co., Mr. Jabez West visited them, and asked Mr. Bryon, the foreman, if the canvass would be allowed; he (Mr. Bryon) undertook to deliver the papers, and desired Mr. West to call on Friday for them, which he did; those papers have been received signed, some for and some against, and they are here. Mr. Jabez West went to Braby & Co., (not slate works, but zinc works), in the Euston-road, and saw Mr. Dibley, the managing director, who took the papers, and gave him a note to their works at Deptford; Mr. Dibley undertook his own shop, and collected the papers, and Mr. Jabez West collected them at Deptford; those papers are signed, and they are here before the Committee on the table. The next is Peek, Frean & Co's. biscuit establishment; they have several establishments,

establishments, but this alludes to the one at Deptford; Mr. West says that he saw one of the workmen, Mr. Mackenzie, at Dockhead, who thought there would be an objection to a shop canvass; but one of the workmen came to Mr. West's house to fetch the papers, and Mr. West fetched them from his house; he says that he does not know the name of the person who fetched them, but he believes that he lives at 10, Jamaica-row, Bermondsey. With regard to Broadwood's piano factory, Horseferry-road, he says, he saw a gentleman there who took the papers, and undertook to get them filled up and signed afterwards; Mr. West called for them, and they were left in the lobby for him, and those were all against; and the papers are here before me. The Phoenix Gas Works have several works, and gas preparing premises in the South of London, and the portion visited by Mr. West was, that at Bankside, on the other side of the river, where 100 men are employed; the establishment of the Phoenix Gas Works extend from Vauxhall right down to Greenwich, and they have different places where they make the gas, but only one establishment was visited, and that was the one at Bankside. Mr. Jabez West says that they have several departments; at the Bankside department he saw Mr. Rowe, the foreman, who took the papers and distributed them. Mr. West called for them at his office, and Mr. Rowe said that the men were very indifferent about the matter; there was an error in the words "steam-boats," it should have been "steam-boat;" there was but one boat visited, the "Holland," which trades between London and Ostend; I am very sorry that that error should have crept in. Mr. West saw Mr. Lepper, one of the men; he said that they were very busy, but he would get the papers filled up by the next day, and they were returned, and they are here before me. Messrs. Gibbs, the leather-dresser's establishment, which it is said by Mr. Winterbotham, could not be found, is exactly opposite Messrs. Hepburn's, and it will be found in Long-lane. Mr. West there saw Mr. Kerns, the foreman, who said that no stranger was allowed on the premises; but they allowed Mr. West in, and he left the papers on the Tuesday, and called for them on the following Friday, and the papers are here. With regard to Messrs. Olney, Mr. West had been employed there for many years. He obtained leave from Messrs. Olney on purpose to carry out this canvass on his own application. They granted him the leave, and Mr. West, being known to the firm, canvassed the works himself by visiting the workshops, and the papers are here. In Messrs. Oastler and Palmer's case Mr. West there saw Mr. Reed, who is a cutter-out, and he thought that there would be an objection to going through the works; but Mr. West stood at the gate, and gave out the papers in the dinner hour, and collected them on the next day. The papers from Oastler and Palmers also are here before the Committee. At Messrs. Hepburn's, Mr. West saw the foreman, who asked one of the Messrs. Hepburns', who objected to his going among the men, and Mr. West, as in the other cases, stood at the gate and gave the papers out one day, receiving them on the following day. Then the Messrs. Corderoy's, Mr. Winterbotham has made a very strong case of. Mr. West, who made the canvass, was employed some years ago for Messrs. Corderoy, and, knowing them per-

sonally, he saw Mr. Francis and Mr. Edward Corderoy on the works, who asked him his business, and they allowed him to go in among the men, and he left the papers, and the day after he saw Mr. John Corderoy, and Mr. William Corderoy, of the other firm of the same name, who gave him the same permission. All those papers are here. Those, I believe, are all the cases which have been mentioned.

6902. Are the papers which are before you those upon which you made your former statement to this Committee?—They are.

6903. You took them upon the responsibility of Mr. Jabez West?—Yes; as I stated to Mr. Locke.

6904. Believing that his statements were worthy of credit?—I am quite sure that he is perfectly reliable, and Mr. Jabez West is here. I should like to make a statement in my own justification with regard to the house-to-house canvass, the papers of which are here.

6905. Have you read the answer to Question 6574, at the sitting of the 8th of June?—Yes.

6906. In many points the report with reference to the street canvass was impugned, I think?—Yes, and I would simply state to the Committee not to waste its time, that in our canvass the papers were left almost invariably for three clear days at the house, the canvassers having no right, nor did they exercise the right of giving an opinion either one way or the other; and at the end of the third day the papers were fetched, some refused to sign at all, others expressed their neutrality, others said that they were in favour, and others that they were against; but every one of those signatures on refused papers is here on the table before me, and I shall have very great pleasure in submitting them to the scrutiny of any person appointed by the Committee. I may say, also, if the Committee will allow me, that there is no doubt of a canvass having been made on behalf of the Licensed Victuallers' Protection Society, but it was made without any such returns as these; it was made simply by *vivâ voce* interview, at the doors of the persons, there the individuals who made that canvass did not allow the persons to sign themselves, but asking their opinions, sometimes questioning them, and in one instance, which I can prove, stating that they came from the Committee to get the evidence, and then they put down in the book, yes, or no; but the people themselves had no hand in the matter.

6907. How do you know that?—By the evidence of persons whom I have visited since in the different streets, and especially by one person who has been referred to, namely, Mr. Hunter, who was referred to by Mr. Winterbotham, as having made the canvass of Sidwell Place, Broad-wall.

6908. Has Mr. Hunter told you that that was the way in which he made the canvass?—No, Mr. Hunter made the previous canvass. He is a working man.

6909. How do you know that that was the manner in which the Licensed Victuallers' canvass was made?—From the evidence of Mr. Hunter, and statements of persons in each of the streets which I have visited where the canvass has been made.

6910. Can you give the names of the people?—Mr. Hunter, who made the canvass of Sidwell-place, has been already referred to here, and he is willing to give up a day's work, if the Committee

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wish it, to come and verify his statement, as it has been impugned before the Committee. Mr. Alexander Forbes, one of the bookbinders at Messrs. Spottiswoode's, who quite voluntarily undertook the canvass of Wooton-street, and lives at 32, King-street, is also quite willing to give up his day's work and come and give evidence to this Committee, doing that as voluntarily as he did the other. Mr. J. Naggington, a man who was wounded in the battle of the Alma, an old guardsman, and now timekeeper in a very large firm, also gave up a day's work for the purpose, and he is willing to come here and give evidence as to the manner in which that canvass was conducted. Those men worked voluntarily, and I am sure they had no intention to deceive the Committee, and if they had I should not have shared in the movement.

6911. Mr. *John Abel Smith.*] Was Mr. Hunter present when the licensed victuallers' canvass of Sidwell-place took place?—Yes, he was.

6912. Mr. *Knatchbull-Hugessen.*] It was Mr. Hunter who made the observation when the matter was pointed out to him, that the men were rounding, that is to say, that the men who were formerly for closing are now against it?—When he was told that the people were opposed to the Bill, he said that they had turned round, but at the same time he made the man who made the second canvass erase the name of some lodgers whom he had taken down as householders, calling the lodgers down to the man's face, in order to make him erase the names which he had put in surreptitiously.

6913. Do you dispute the accuracy of the return handed in by Mr. Winterbotham, which states that you had very much understated, or that those who had informed you had very much understated the number of houses in the different streets?—My best answer to that is, that we have here the signatures of the householders for the Committee to examine.

6914. You may have the signatures of 20 in a street of 30, and only account for 20; my question went to this: do you dispute the accuracy of the statement, which says that in certain streets where there are 20, 30, or 40 houses, your returns only account for a less number?—For this reason, that I did not give in to the Committee those houses where the returns were refused, as they were in some cases. I can give the Committee those facts if they like, of the number of houses that refused the return. The Committee are aware that in London a great many people come round selling books and tracts, which they leave one day and call for the next; and as our men would not enter into a dispute, or any question about it, but would just leave the paper, some of the people would say, "We do not want anything," and at once shut the door and go away, and in some cases the people would not be at home.

6915. Mr. *Locke.*] Those are only the returns from certain houses?—They contain the whole of

the houses in the streets where the inhabitants signed the papers.

6916. Have you signatures from all the houses?—Yes, with those exceptions which I have referred to.

6917. Those papers represent the houses from which you got answers?—Yes; but if all the householders had signed or given authority for their signature to the licensed victuallers' agent that would not make up the difference, or anything like what has been presented to the Committee.

6918. What difference do you allude to precisely?—I am speaking of the difference in the returns; for instance, in Wooton-street, I think our return is thoroughly reversed. I gave the Committee the fact of there being 34 in favour of total closing, 17 against, and 7 neutral; and in Wooton-street there were nine houses where they would not receive the papers. Of course where the papers are inscribed, "no return," I had no right to claim them as being on our side, and they have no right to say that they were against us, simply because they would not express an opinion either way.

6919. I think that Mr. Winterbotham's objection was, that you stated that there were only so many houses in the different streets?—I did not make that statement in my evidence.

6920. Mr. *Knatchbull-Hugessen.*] You did not state that there were only that number of houses in the different streets, but by only mentioning a certain number, you left us to infer that you had given us an account of the whole street?—I took advice, and I thought that I would not cumber the evidence with figures. I had them in the return, which I handed in, and here is a column for the "no returns" (*handing a paper to the Committee*), as the honourable Member can see; no returns, are in the fourth column.

6921. Mr. *Locke.*] I understood you to say that there were so many houses in such a street, and so many houses in another street, and I think Mr. Winterbotham's answer was that Mr. Murphy had misrepresented the number of houses that there were in those different streets, and that they had only gone to a few of them?—I have read the evidence carefully, and I do not understand anything Mr. Winterbotham said in that way.

6922. Mr. *Knatchbull-Hugessen.*] Take for instance this paper, which you have handed in to me, it gives a summary of the canvass of one locality, and it says Yes, 310; No, 154; Neutral, 50; and No, return 151; but inasmuch as it was not stated in answer to the question that there were 151 who made no return, the Committee fell into the error naturally enough, and they thought that Mr. Murphy had, in stating the lesser number, intended to convey that those were the whole of the houses?—I did not mention the total, simply because I did not mention the details.

Mr. JABEZ WEST, called in; and Examined.

Mr.
J. West.

6923. *Chairman.*] You have heard the questions which have just been asked of Mr. Murphy with reference to the canvass which you made of certain workshops, and you have heard that Mr. Winterbotham stated that your returns were not correct, and mentioned that many of those places

had not, in fact, been canvassed at all. Mr. Murphy has given in your papers upon which his statements have been based, and I had better ask you whether you have anything to add to the explanation which he has given?—I did not canvass the employers, because I did not believe it

is an employers' question. I believed that it was a question of the employed. The working men of Bermondsey act and think for themselves; they do not allow their masters to act and think for them. Therefore, when I know that I can have permission to go into a workshop, I take the liberty of going into the workshop. I did not tell young Mr. Corderoy, because I had worked with them for 15 years; therefore, I did not ask for permission.

6924. Take the case of Messrs. Cassell, Petter, and Galpin; Mr. Winterbotham says that he had come from the authority of a gentleman in their printing-house, and several of their workmen, saying that no such canvass took place; what answer have you to make to that?—I went and saw Mr. Jeffery, the cashier, and asked him if he might be allowed to go through the workshop, and he said No, he would undertake it himself. I went and fetched 400 canvass papers, and left them with Mr. Jeffery, and I called for them on the following day, when he informed me that he had sent them up to Mr. Dawson Burns.

6925. Is it possible that some workmen might not have seen them, but you took them and they were sent back to you?—Yes, I took them and they were sent back to me; I gave them to Mr. Jeffery.

6926. Mr. Locke.] Is Mr. Jeffery a teetotalter?—I do not know whether he is or not.

6927. However, he is a friend of yours?—I never saw Mr. Jeffery before that day; I have seen him once or twice since.

6928. Why did you entrust them to Mr. Jeffery?—Because he was the cashier; and he did not allow me to go over the premises.

6929. Mr. Roebuck.] How did you ascertain the number of men in the workshop?—I did not ascertain the number of men.

6930. You do not know what relation this return bears to the whole number of men?—No; I do not know how many men they employ there.

6931. Chairman.] You took the return as it was sent back to you?—They sent them back to Mr. Dawson Burns; I went for them, and Mr. Jeffery said he had sent them.

6932. Mr. Winterbotham states that at "Price & Co.'s Candle Works, Battersea, they employ about 350 men, besides boys and girls. No canvass whatever has taken place at this establishment;" how do you explain that?—I went on a Monday and asked one of the parties whether I could go in; they said no, but that I might be allowed to stand in the lobby, and as the men came out to dinner I gave them each one of the papers, and asked them if they would read it, and take it home and fill it up, and that I would call for it on the next day; I did so. I went on the next day and stood there as they went in from their dinner, and collected them back again.

6933. Mr. Roebuck.] But in no case do you know the exact number of workmen employed?—No; I never made that inquiry.

6934. Mr. Evans.] In fact, you gave a paper to all that you saw?—To all the men that came out.

6935. Chairman.] What do you say about Cockerell & Company?—I did not go into their office; I went to their weigher, John Howlett; everybody has access to their coal wharf. Where the men take their meals in their dining-room, I went into them, and I said, "Look here, I am canvassing the workshops;" I never used any influence in any way whatever.

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I said, "Will you read this?" and then one read the paper out and said, "Have you got the papers with you?" I then gave them the papers, and they filled them up there and then, and I brought them away with me the same day that I visited them.

6936. Mr. Roebuck.] Do you know whether anything like the whole body signed?—They were only the men that I saw there at work.

6937. Chairman.] Might this be a different establishment of Messrs Cockerell?—This one is at Earl-street, Blackfriars.

6938. Then there is Brady & Company; what have you to say about them?—That is the corrugated iron works in Euston-road; I went there on Thursday and saw Mr. Dibley, their manager.

6939. Those are zinc merchants, are they?—Yes.

6940. Then if this relates to slate merchants it may be a different concern?—Yes.

6941. What is Messrs. Brady's address?—I do not know the number; it is just by Euston-road.

6942. Then it is a mistake; if Mr. Winterbotham referred to a slate merchant's in Lambeth it would be a different house altogether?—Yes; a different house.

6943. Then Peak, Frean & Co., Dockhead, what have you to say about them?—I went and asked there of the foreman, Mr. Mackenzie, and he said that there would be an objection to my going into the works; but he sent one of the men to my house, No. 2, St. James's-terrace, and asked me for papers to take into their biscuit factory at Dockhead; and he said that he would get them filled up and attend to them himself. I went down to his house afterwards and fetched them from his house, No. 10, Jamaica-row.

6944. Messrs. Broadwood's, piano manufactory, what happened there?—I saw them in their dinner time; I saw Mr. Price, I think his name was, and I asked him if I could go in, and he said, "No; you would not be allowed to go in." He was at the door at the time; I told him what I was upon; that I had got some canvass papers; that we wanted to try the sense of the working men, whether they were in favour of closing public-houses altogether. I handed him the papers, and he said, "I will attend to them; you call here on Friday, and I will leave them in the lobby with the gatekeeper." I called on the Friday and received them.

6945. They were all "No," were they?—Yes, they were all "No."

6946. The next case is the Phoenix Gas Works; which of the works of the Phoenix Gas Company did you visit?—It was the place by the River Thames, at Bankside.

6947. Mr. Locke.] Did you go in there?—Yes, I went there, and I saw Mr. Rowarth, and asked if I might go in. He went in with me, into a room where they were having their dinner, and they were drinking water and a little oatmeal sprinkled upon it.

6948. Did you speak to the men there?—I told them that I brought some papers for their approval, either for or against the closing of public-houses on Sunday. Mr. Rowarth, the foreman, said "You will not be able to see many of them; leave them with me, and you call again on Friday, and I will get them filled up." I called again on Friday and brought the papers away.

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6949. Chairman.]

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6949. *Chairman.*] Then as to Messrs. Olney's?
—They are my present employers.

6950. Then Oastler & Palmer; what have you to say to them?—If Mr. Winterbotham asked Mr. Oastler, he is a young man about 17, and he has very little to do with the business. I should not think of asking him about canvassing the workmen. I did call at the works, and I gave them to the men at breakfast time, and they took them home.

6951. How about Messrs. Hepburn?—I saw the foreman, Mr. Sharpley, and asked if I might go into the factory.

6952. What did the foreman say?—He said, "I cannot give you permission to go in; but I will go in and see Mr. Hepburn." He went in and saw Mr. Hepburn; and Mr. Hepburn said that he objected to my going in, but I might stand at the gate or in the lobby, and give them to the men as they came out to their dinner.

6953. A foreman might say that no canvass had taken place, but still he would not know whether you had seen the men outside or not?—There are a dozen foremen in such factories as that. I asked the yard foreman, because he was the one that sees the men.

6954. Did you canvass Messrs. Corderoy, the

fellmongers?—Yes, I went and saw both the Mr. Corderoys.

6955. If it was thought necessary by the Committee, could you bring somebody from every one of those houses to prove that you were there and did canvass them?—Yes; young Mr. Corderoy would come himself.

6956. Mr. *Locke.*] How about Oastler & Palmer's?—I took them as I took Mr. Hepburn's because I could not get permission to go in; they do not allow you to go into their place.

6957. Whom did you leave the papers with at Oastler & Palmer's?—I gave them to the men singly as they came out for their dinner. In a large workshop like that they do not like you to go in when they are at work.

6958. You do not know the number of men employed in any of those places?—No.

6959. Mr. *Berkeley.*] What was the name of the person whom you saw at Broadwood's?—I think his name was Price, but I will not be certain of the name.

6960. What was he?—I do not know what Mr. Price is; I do not know what part of the business he takes.

6961. Mr. *Locke.*] What was the name of the person at Oastler's that you spoke to?—Reed.

Monday, 15th June 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Knatchbull Hugessen.
Mr. Locke.

Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. F. Stanley.
Mr. Horsfall.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

Mr. JOHN THEOPHILUS ROWLAND, called in; and Examined.

962. Mr. Locke.] WHAT are you?—I am engaged now by the Licensed Victuallers' Protection Society.

963. Have you been instrumental in obtaining the canvass which was put in by Mr. Winterbotham?—Yes, with the assistance of two other gentlemen who are now present.

964. What are their names?—Mr. Brook and Mr. Townsend.

965. Will you state to the Committee what the course which you pursued?—With regard to the house-to-house canvass we called at every house, asked to see the landlords of the houses; and we took down their answers, whether they were for closing on Sundays, against closing, or neutral.

966. What districts did you canvass?—First of all we canvassed the district of the New Cut, and Mr. Winterbotham read the report of that canvass to the Committee. I should like to state a few words with regard to the canvass made at Sidwell-street, that the Rev. Mr. Murphy was asked on Thursday last, at Question 6912: "It was Mr. Winterbotham that made the observation, when the matter was pointed out to him, that the men were rounding; that is to say, that the men who were formerly for closing are now against it?"—And the Answer is, "When he was told that the people were opposed to the Bill, he said that they had turned round, but at the same time he told me the man who made the second canvass gave me the names of some lodgers, whom he had called down as householders, calling the lodgers round to the man's face, in order to make him give the names which he had put in surreptitiously." We made a mistake with regard to the house.

967. What observation have you to make with regard to that?—"The man who made the second canvass" has reference to me, and it is not the case that some lodgers were called down: that has reference to one lodger, and that was at No. 3.

I had the name down, Thomas Pearman, and I read the names over to Mr. Hunter, and he said, "Thomas Pearman is not the landlord of the house No. 3, it is Mr. Charles Webb." I went over the way and ascertained that such was the fact, and I struck out the remark in his presence; that is, the remark which he had made to me, that he was against closing.

968. Did he say at first that he was against closing?—Mr. Webb I did not see, it was Mr. Pearman.

Mr. Pearman told me that he was the landlord of the house, and afterwards I ascertained from Mr. Hunter that he was not the landlord; and I went over and made the correction in Mr. Hunter's presence.

6969. What correction did you make?—I struck out Mr. Pearman's name and put Mr. Charles Webb's in; he was not in, and the return shows that I put him as not being at home in one of the returns which I delivered in.

6970. You struck out Mr. Pearman's name?—Yes; that is the only one that this has reference to.

6971. You say that it is not correct to state that there was more than one lodger that you had anything to say to in the way that Mr. Murphy stated?—Only one.

6972. Mr. Roebuck.] You had mistaken one lodger for the landlord, and when you found that he was not the landlord you struck his name out?—Yes.

6973. Mr. Locke.] Is there any other observation that you would wish to make to the Committee?—With regard to the street canvass I had prepared a report for Mr. Winterbotham to read to the Committee last Thursday, but as he did not do so, with the permission of the Committee I will now read it, with regard to the streets in the borough. Since Mr. Winterbotham gave evidence before this Committee this day week, I have concluded the house-to-house canvass in the different streets mentioned in the borough at Questions 5427 and 5430. The Committee have already before them the result of the canvass in the neighbourhood of the New Cut. As on the last occasion I have detailed returns of each street, house, and householder's name, and every item can be most implicitly relied upon. According to the Rev. G. M. Murphy's canvass in Lombard street, he stated that there were six for closing, five against, and none neutral. Our returns show six against closing, six for closing, and five were not at home. In John-street, according to Mr. Murphy's statement, 12 were for closing, eight against, and three neutral. Our figures show 12 against closing, 11 for closing, three neutral, and five not at home. In Little Suffolk-street, Mr. Murphy's statement is, six for closing, six against, and two neutral. Our returns show 10 against closing, two for closing, once neutral and two not at home. With reference to the answer given by Mr. Murphy to the

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honourable Member for Chichester, that none but householders were canvassed, I think it right to draw the attention of the Committee to the fact that we were informed, by Mrs. Badham, at No. 5A, Little Suffolk-street, "Harry signed" (meaning the son) "for his father, but he is dead against closing." In King's-court, according to Mr. Murphy's statement, there were seven for closing, three against, and one neutral. Our figures show nine against, six for, one neutral, and eight were not at home. In Little Lant-street, Mr. Murphy's statement is, 21 for closing, one against, and none neutral. Our returns show seven against, eight for, one neutral, and four not at home. I may here state that there are only 21 houses in Little Lant-street, and therefore the remark so much made of on the other side, that none but householder were canvassed, is not correct. We were informed by Heron, at No. 5, Little Lant-street, "that the gentleman who called for the paper signed it himself."

6974. What gentleman?—The canvasser on the other side. At No. 6, Mr. Turner and two of his lodgers signed. At No. 9, we were informed by Mrs. Cooper and her son that Mr. Cooper, his two sons, and three lodgers signed (that is, six in one house). At No. 3, Miss Adams told us that herself, brother, and Ann Smith, the servant, signed; so that the remark with regard to the lodgers not having been canvassed is not correct. In Prince's-place, Mr. Murphy's report gives six for closing, none against, and three neutral. Our return shows seven against closing, five for closing, one neutral, and eight not at home. In Wellington-street, Mr. Murphy stated that 12 signed for closing, six against, and two neutral. Our return shows 15 against closing, 12 for closing, three neutral, and 10 not at home. In Wellington-place, Mr. Murphy's return is 14 for closing, 14 against, and none neutral. Our report shows 15 against, 11 for, three neutral, and 17 not at home. In William-street, Mr. Murphy stated that there were six for closing, seven against, and two neutral. Our returns show 17 against closing, five for closing, one neutral, and five not at home. In great Union-street, Mr. Murphy gives 19 for closing, six against, and three neutral. Our report shows 20 against closing, 12 for closing, three neutral, and eight not at home. In George-street, Mr. Murphy shows 12 for closing, 10 against, and six neutral. Our returns show seven against closing, 10 for closing, one neutral, and 11 not at home. In Lant-street, Mr. Murphy's statement gives 23 for closing, 10 against, and six neutral. Our report shows 25 against closing, 13 for, five neutral, and nine not at home. In Ann's-place, Mr. Murphy's report is two for closing, eight against, and none neutral. The corrected statement is nine against closing, none for it, three neutral, and one not at home. In Great Suffolk-street, Mr. Murphy shows 62 for closing, 28 against, and seven neutral. Our return is 35 against closing, 40 for closing, 11 neutral, and 23 not at home. At No. 104, we were informed by Mrs. Andrews that she signed for closing against her husband's wish. The total of the 20 different thoroughfares, as given by Mr. Murphy in questions 5427 and 5430, is 310 in favour of entire closing, 154 against, and 50 neutral. According to his own figures, if correctly added, the total against closing should be 174, and not 154. Our returns show the number to be 338 against closing, 218 for closing, 50 neutral, and 142 not at home.

There are altogether 748 houses in those 20 different thoroughfares, and Mr. Murphy has accounted for 514, making a difference of 234. If the Committee will allow me I will deliver the return to which that paper refers (*handing the same*).

6975. Have those returns been carefully checked by you?—Yes.

6976. With whom?—With the two gentlemen whom I mentioned before, Mr. Brookbank and Mr. Townsend.

6977. Before this you had been engaged, had you not, in a similar business of canvassing?—I have had a very large experience in railway matters, which is very similar to this sort of work preparing the books of reference, and getting the names of all owners, lessees, and occupiers who are to be served with notices. I have had the management of about 30 different lines, and never had an allegation against me before the Standing Orders Committee.

6978. Were you for 11 years with Messrs. Gurney, the Government shorthand writers?—Yes.

6979. In what capacity?—I was a shorthand writer and transcriber.

6980. Have you a further report as to the workshop canvass?—Yes; if the Committee will allow me, I will take each case separately, as mentioned at Question 5433, of Mr. Murphy's evidence, in answer to the honourable Member for Leeds. Last Saturday week I called at Messrs. Cassell, Petter, and Galpin, and I saw the gentlemen in the counting-house.

6981. Whom was it that you saw?—I did not ask their names, but I saw the same gentlemen again last Saturday; they were in the counting-house, there were four or five of them; I asked them whether there had been a workshop canvass and they said no, or else they must have heard something about it. I saw several men; it was in the dinner time; in fact, I believe they were being paid, and I asked them the same question and they said that they had not heard anything about it. Last Saturday I called there again and I saw Mr. Jeffery; Mr. Jeffery of course is a gentleman of the highest respectability, and he has been known for the last 25 years as a great advocate of teetotalism; I asked him the particulars, and he said that the forms were supplied to him by Mr. Jabez West, who asked permission to go over the workshops; Mr. Jeffery would not allow him to do so, but he took the forms from him, and gave them to the foreman. That does not disprove the statement which I made originally, that the men did not know anything about it, and the gentlemen in the counting-house did not know anything about it, because I asked them the same question on Saturday, and they said that they did not. When I told Mr. Jeffery of that, he said, "The gentlemen in the counting-house, it is true, did not know anything about it, so that you were misled." The next one is Price & Co.'s Candle Works. The gentleman who lives next door to me at Clapham is one of the principal clerks in that firm, and he has been there for the last 18 years; his name is Mr. Hazard; I asked him the particulars with regard to Price's, and he said that anybody who wanted to go over the establishment would have to apply to him for permission to do so.

6982. Did he say that anybody had applied to him?—He said that nobody had applied to him. The next one is Cockerell & Co.; I went to the principal

principal firm, the one at Abingdon Wharf, and also saw Mr. Cockerell, at No. 41, Warwick-street, Pimlico.

6983. What is Mr. Cockerell?—He is a coal merchant; he said that there had been no canvass here; but since then inquiries have been made at Earl-street, and Mr. Howlett, the foreman, said that a canvass had been made; that there are usually from 12 to 13 employed, but that he could not say how many signed for or against, as the gang varies; Mr. Howlett is a teetotaler. The next is Doulton & Co., Lambeth; I called there last Saturday week, and I saw the gentlemen in the counting-house, and I also saw a number of the men; I should think I saw about 10 of them, and they said that they did not know anything at all about it; but it appears that Mr. Jabez West supplied the forms to a Mr. Bryan, who has been known to him for the last 15 years. Mr. Bryan is a great advocate of teetotalism. With regard to the workshop canvass, there has been no workshop canvass at this place of Messrs. Doulton's; it is true there has been a partial canvass, but not what I should call a workshop canvass; a workshop canvass I should call going to each man, and asking his opinion, not taking a few selected ones, the same as they have done in this case. Braby & Co.'s is at the extreme end of Euston-road, beyond Tottenham Court-road.

6984. What are they?—They are zinc works; I went to Braby's in Belvedere-road, the south of London being referred to as the workshop canvass having been made there.

6985. Have Braby & Co. an establishment in Belvedere-road?—Not the same Braby; they are slate works in the Belvedere-road. I do not know what caused Mr. Jabez West to go from Southwark right to the other end of the Euston-road, unless it was the fact, that the gentleman, the manager there, was known to be a great advocate of teetotalism.

6986. What is his name?—Dibley. There are several other zinc works in the Euston-road which were not canvassed at all, and of course that is to be accounted for by the fact that this gentleman was a friend of theirs, and they went there, I suppose, thinking that they could get more there than anywhere else; there is no doubt about that fact.

6987. How is it you know that Mr. Dibley is a teetotaler?—The clerk there, Mr. Havant, informed us.

6988. Mr. John Abel Smith.] What do you call a teetotaler?—A total abstainer. The next is Messrs. Peek, Frean, & Company. I have been down there since Mr. Murphy gave his evidence on Thursday, and I cannot find out this man; he did not give the name of the man; he said that the forms were sent to some man's house; Mr. West said in his evidence, with regard to the canvass, "I went and asked there of the foreman, Mr. Mackenzie, and he said that there would be an objection to my going into the works; but he sent one of the men to my house, No. 2, St. James's Terrace, and asked me for papers to take into their biscuit factory at Dockhead; and he said that he would get them filled up and attend to them himself. I went down to his house afterwards and fetched them from his house, No. 10, Jamaica-row." I cannot find who that gentleman is at No. 10, Jamaica-row. I made inquiries, and I cannot find out the man who took those forms and returned them. The men assure me that they have not been canvassed. The next is

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Broadwood's piano factory. I went there and I saw the gentleman at the gate who took in the forms, and he had them filled up unknown to the firm and returned them to some gentleman who called for them a few days afterwards.

6989. Mr. Locke.] What forms were they?—Forms given him by Mr. Jabez West.

6990. Mr. Jabez West says at Question 6944, "I saw them in their dinner time; I saw Mr. Price, I think his name was, and I asked him if I could go in, and he said, 'No; you would not be allowed to go in.' He was at the door at the time; I told him what I was upon; that I had got some canvass papers; that we wanted to try the sense of the working men, whether they were in favour of closing public-houses altogether. I handed him the papers, and he said, 'I will attend to them; you call here on Friday, and I will leave them in the lobby with the gatekeeper.' I called on the Friday and received them"—That is the gentleman. They were all noes, everyone of them.

6991. He says so, does he not?—I only state this to prove that my first report was correct. On Saturday Mr. Rose, one of the partners, was seen by the two gentlemen, Mr. Brookbank and Mr. Townsend, who are here. Mr. Rose is one of the firm of Broadwood's, and he was asked the question whether he knew anything about a workshop canvass, and he said, "No"; if there had been a workshop canvass it had not been done with his sanction; he said that his men were sober and well conducted, and that he would be very sorry indeed to see a measure passed which would in any way interfere with their comforts; and he went on to argue the question without knowing on which side we were. From the evidence given in the list that was delivered in by Mr. Murphy, it would be made to appear as if some of the men had signed the other way; I should take it so from reading it in the evidence.

6992. Chairman.] Messrs. Broadwood were quoted amongst the firms which made up the total number?—Yes; I should mention that at Messrs. Broadwood's Mr. Price has been known to be a teetotaler for some years past, and he refused to sign notwithstanding. At the Phoenix Gas Works the forms were sent to Mr. Rowarth, who is known to Mr. Jabez West as a teetotaler, and I would wish to state with regard to the Phoenix Gas Works that the forms were only delivered to a few of the men. The next thing is steamboats on the River Thames; of course that has been corrected since. I made inquiries on, I should think, 20 or 30 boats on the river, of all the people employed on the boats, and none of them knew anything about it.

6993. Mr. Locke.] What they say is, that there was a mistake; that they put "boats" instead of "boat;" that they only went to one boat?—Yes; that was the "Holland," a boat trading between London and Ostend. Of course they can get whatever they like to drink on board on Sunday, so that it was not likely that they would sign one way or the other. At Gibbs's, the leather dressers (which I said in my former report read by Mr. Winterbotham, I could not find), the foreman there is also a teetotaler, and a friend of Mr. Jabez West, and he allowed him to go over the premises and distribute the forms; we also made a canvass, and we found that 24 were against closing, nine for closing, and five neutral. In every case selections have been made by Mr. West, where the

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foreman has been known to be a teetotalter; there is no doubt about that. At Oastler and Palmer's, Mr. White, the manager, says that no workshop canvass was made, but he believes that some papers were given to some of the men at the gate, and certainly not 10 of them signed for closing. At Messrs. Hepburn's; I went there last Saturday week, and I saw Mr. Hepburn; he is a short gentleman, with black whiskers; I did not ask him his name, but I asked his permission to go and speak to the men, and he said that I could not do so, but any information that I wanted if I went to his foreman he would give it to me. I went to the foreman and he said that there had been no workshop canvass there; I also saw several of the men, and they did not know anything about it. Last Friday inquiries were made there again, and one of the clerks in the counting-house said, "Oh, yes, I remember there were some papers given to the men at the gate as they were going away; but," he said, "you cannot call that a workshop canvass, or else we should have known something about it." With regard to Messrs. Corderoy's, fellmongers, there are three of the same name. I went to No. 34, Long-lane, and the men there had not been canvassed at all. We have since made inquiries, and we went to Mr. Francis Corderoy's, at No. 38, Long-lane, and it appears that the men had been canvassed there by Mr. West.

6994. In what way?—By leaving the forms with them; Mr. Francis Corderoy allowed another canvass when 14 were against closing, eight for closing and three neutral.

6995. Who took that canvass?—The two gentlemen who are here, if the Committee choose to call them. There are a number of large firms in Southwark who have not been canvassed at all. It is evident that on the other side they have gone to all the places where they have known the foremen to be teetotalters. For instance, there is Messrs. Rennie's, the engineers in Holland-street, where there are 800 men employed; there is Horton & Son, boiler makers, in Emerson-street, who employ 300 men; there is Messrs. Maudsley & Sons, engineers, who employ 500 men. Myers & Sons, builders, a firm which employs from 400 to 500 men; and Easton, Amos, & Sons, Southwark-street, who employ 300 men, to none of which establishments they went. Also they did not go to Messrs. Routledge, the publishers, or to Messrs. Judd & Glass, or to Messrs. Collard & Sons, pianoforte makers. According to Mr. Murphy's figures there are only 657 men employed in all those workshops, that they say they canvassed, but the fact is, that there are over 3,000 men employed in them. I do not know how they account for the other 2,500, because they did not deliver in any returns of them. In answer to the honourable Member for Sheffield, at Question 5434, Mr. Murphy is asked, "Do you suppose that the number there canvassed represents the whole number of working men employed in those different places?" and his answer is, "I am sure of it."

6996. Have you ascertained that instead of 658 men, there are upwards of 3,000?—Yes, there are upwards of 3,000 employed in all those firms. For instance, if you only take Messrs. Cassell, Petter, & Galpin, and Messrs. Price & Company, there are 800 men employed in those two firms alone; or if you take Messrs. Peake, Frean, & Co. and Messrs. Broadwood's, there are 950 men employed in those two firms.

6997. Have you anything further to add?—Merely to say that it is a very one-sided canvass I know this, that if I had been employed by the other side, I should have done exactly as I have done in this case. I would have gone to the people and asked them every one. I should not have selected a few of them.

6998. Your canvass, I understand, has been confined to those places of which Mr. Murphy gave evidence, and Mr. Jabez West gave evidence?—Yes.

6999. You have not extended the canvass beyond that to any other places?—No.

7000. But merely for the object of testing the canvass that was made which you were employed to do?—Just so.

7001. Mr. Knatchbull-Huggessen.] I understand that you do not impute to those who instituted the first canvass, that they have obtained signatures improperly, or that they have put in an untrue return; but what you maintain is, that that canvass was a partial canvass, and that as such, it does not give a correct idea either of the number of men employed in those firms, or of the real tendency of public opinion in the workshops?—That is all.

7002. Mr. John Abel Smith.] I should like to know a little of your antecedents; will you tell me what you were before you began this work?—I had been for 11 years with Messrs. Gurney, the Government short-hand writers.

7003. What as?—A short-hand reader; and I also have had very great experience in railway matters in the vacation, in the months of October, November, and December.

7004. Getting up assents and dissents, and so on?—Getting up the books of reference for the Standing Orders Committee.

7005. You have thrown out a hint that Mr. Murphy's evidence is to be doubted, because he was acting in accordance with a very strongly held opinion?—I do not impute anything to Mr. Murphy; but I do impute to those whom he employed that they have not done their work as they ought to do.

7006. In consequence of the strong opinions which they entertain, that they have given a bias which misleads the Committee?—No, I did not say that; I say that they have made selections.

7007. And they made selections in accordance with strongly held opinions?—I cannot say that I am sure.

7008. They have made selections; with what motives have they made the selections; did you not state over and over again that it was because they were teetotalters, or something of that sort?—Yes, I certainly said so.

7009. Does not that mean that they made selections of firms, and went to different people in accordance with their own opinions?—There is not the slightest doubt of it.

7010. Do you think it is much to be doubted that you are acting in accordance with your opinions; you are acting as the paid agent of the publicans; is not the same rule to be applied to you?—No, I was employed to test the accuracy of their statement, and I did so in a thoroughly conscientious manner.

7011. I am not saying that you did not; but are not your conclusions open to the same objection as theirs, namely, that you were advocating one particular opinion?—I have delivered in returns, which can be tested, and I can vouch for the accuracy of every name upon those papers,

ers, because I had them not from the lodgers, I had them from the man himself, whoever was.

7012. I am not saying that that is not so; but ask you again, are not your conclusions and your returns open to the same objections which I allege against those on the other side, namely, that they are collected by persons having strong personal opinions upon the subject to which they refer?—If you allude to me, I have not a strong personal opinion either way.

7013. But you are the paid agent of the publishers?—Certainly I am; but I went to every house. I did not miss houses, the same as they; I went to every house, and got the facts from the householders themselves.

7014. You impute to those, or you allege as a conclusion of your own, that they went about London seeking those places in which they had not favourably disposed to them?—No, I do not say that; but this I will say, that the Rev. Mr. Murphy is well known, and very much respected, in the neighbourhood of the Borough, where no returns were obtained; and with regard to any other place, no doubt, of course, all those people knew the Rev. Newman Hall very well; and their names were used in connection with this canvass.

7015. Is it not possible that in selecting people from various parts of London they might have had an object, to show the feeling as widely spread amongst all the different classes of people?—It is quite possible, it is true, but if I did it, if I intended to find out the feeling of a neighbourhood, I should not go and miss several streets. I would take a street here and then go three streets further off.

7016. But did not you state generally, in reference to their going to Euston-road, that they went there because it was a teetotaler who was the foreman?—I do say so.

7017. Is it not possible that they might have gone to that great distance from Bermondsey to know how widely spread the feeling was?—Yes; but, according to the evidence the canvass was confined to the south of London. Mr. Murphy asked, at Question 5432, "The working men, as a whole, are in favour of entire closing, are they not?" to which he replies, "I think they are." If the Committee would allow me, I have the results of a workshop canvass, partially in the south of London, with which I am personally conversant.

7018. That is not incorrect, is it?—It is not incorrect, but, for instance, the two firms of Braby & Co., being in the directory, I naturally went to the one in the south of London.

7019. Will you read the next Question and answer, No. 5433?—"Were those answers for

entire closing, or for Mr. Abel Smith's Bill?—For entire closing. The workshop canvass which was made by a man who is well known to all the people in the borough of Southwark, as one who takes a great interest in electioneering matters, and in moral matters, Mr. Jabez West, shows the following result. We had a workshop canvass at Messrs. Cassell, Petter, and Galpin's; Price & Co.'s candle works; Cockerell & Co.'s, coal merchants; Doulton & Co.'s, Lambeth, and Braby & Co.'s, Limited."

7020. Is Messrs. Cassell's in the south of London?—No, it is not.

7021. Then that shows that it was not confined to the south, does it not?—But there is no mistaking the fact that they went to Messrs. Cassell's, because Mr. Jeffery was well known as a great teetotal advocate.

7022. That is your own opinion that Mr. Jeffery is a teetotaler, but the canvass of Messrs. Cassell's was against the Bill, was it not?—No; I have the authority of Mr. Jeffery for saying that the majority of the men are in favour of further restrictions, but he said at the same time that the majority of the men signed the paper against closing.

7023. We have got it in evidence here, under Mr. Jeffery's own hand, for he writes, "although those in favour of the total closing of public-houses on Sunday appear to be in a minority in this concern, I believe the majority are favourable to further restriction on the Sunday traffic, such as that proposed in Mr. Abel Smith's Bill"?—Yes; that is exactly what he told me.

7024. Therefore that is quite accurate?—Quite accurate.

7025. Then their object in going to Messrs. Cassell & Co., on account of the opinion of Mr. Jeffery broke down?—It is well known, I think, that there was a very influential petition presented to the House from Messrs. Cassell's against the Bill.

7026. Supposing you were to answer my question. I ask you whether it is the fact that their object in going to Cassell & Co.'s broke down?—There is no doubt it did.

7027. And Broadwood's the same?—Yes, and Broadwood's the same; but, as I said before, from their giving the names of the different firms in the answer to Question No. 5433, it would naturally lead anybody to conclude that those firms were in favour of closing.

7028. Altogether they did not carry on the canvass, as you think, rightly?—That was not their fault.

7029. But it is the fact?—It is the fact; it turned out so; they did not expect it, perhaps.

7030. Mr. Locke.] You do not suppose that they went there to get negatives?—No.

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Mr. RICHARD WAYGOOD, called in; and Examined.

7031. *Chairman.*] You are an Engineer at the Winton Iron Works, Robert's-place, Brunswick-street, Great Dover-road, and you offer yourself as a witness to this Committee, believing that you can speak to the opinions of many employers of labour and working men on this subject which is before the Committee?—I can.

7032. Do you know accurately the provisions of the Bill which is referred to this Committee?—I know nothing of it; I have not read any—

thing of it, nor any evidence that has been adduced.

7033. By this Bill it is proposed to shorten the hours during which liquors may be sold on Sunday, from the present limit of eight hours to three and a half in the metropolis, and four out of it; that during two hours in the middle of the day, and two hours in the evening, they may be sold for consumption off the premises with certain other exceptions in the metropolitan district,

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district, that meals may be taken in a public-house, and that every traveller should obtain refreshment; that is the general object of the Bill; what is it that you would like to state to the Committee upon that subject?—I merely want to give the result of a little experience of my own, founded upon about 40 years' acquaintance with working men. I have been in business in London 40 years, and of course, during that period, I have had a great number of men in my employ; not only in London, but in fact, out of London; for instance, at Penge, where I have had brickfields and other works. My principal object was to state to the Committee generally, that my idea is that a great deal is claimed for restriction as to the improvement of the morals of the men; but I deny that entirely. I deny that restriction has anything whatever to do with it; it is merely the advance of education and better habits in the men themselves. I am myself a violent opponent of drunkenness in any form, and I suppose a more moderate man than myself does not exist, for no man ever yet saw me drunk, and never will; but of course, in treating with a lot of such men as moulders, engineers, and all that class, you have to study their habits. I have a sort of family around me of many years' standing; my foreman has been with me 40 years, and several of the men have been 30 and 35 years. I have a great many uncontrollable spirits, some of whom I have been obliged to discard entirely; but I have found that drunkards may be reclaimed, and be made into teetotallers. I have made a teetotaller of a man as a *dernier ressort*, but not when he has another chance; but I have found the best effects have been produced in my men by inducing them to take their wives and their families out with them on the Sunday especially. Many is the spree that I have paid for, and if you can induce a man who is a drinker to go out on a Sunday, and take his wife and children with him, depend upon it you reclaim that man after two or three times. He cannot bear the reproach, nor can he bear the dreadful feeling of a wife and children shrinking away from him. I have had a lot of men myself of that sort, and I know that to such men children are such silent monitors that they cannot go on with drinking, and that is why I have endeavoured to encourage the habit of the men going out with their families on Sunday.

7034. Your general view is that innocent enjoyments are a sort of preservative from intemperance?—That is the reason why I wish to come before the Committee, because I have been a great deal to Paris, and have had a good deal to do with Frenchmen, and I know the habits of the people; indeed I wrote a little pamphlet, which may possibly have been seen by some of the gentlemen of this Committee, which goes very fully into the matter as to the habits of French people, and the way by which they are made artizans, or artists rather, and I have had many of them in my employ. My foreman is a Sunday school man, and he takes his children to school, and several others of my men belong to different congregations round, and of course I always encourage that to the utmost of my power, but I say that the children of those men do not make artists. If you want to induce children to learn easily you must associate them with beautiful objects in their early infancy. The fact is, the mind begins to drink in inspiration from childhood; it is in children that you

must instil lines of grace and beauty. If you look at a child that is fond of music you will see the little infant's limbs all agog and all alive with beautiful sounds before it can speak; and it is to the love of the beautiful that I look, and to better education for further progress in the morals and manners of the people generally.

7035. Are the Committee to understand that you are against any additional restrictions?—I have never seen the use of them, because they are either evaded or resisted. You saw a little of that during the riots in Hyde Park; there was resistance. I can assure you there is not a man in my employment who does not know where to get drink every Sunday, at 20 places if he likes.

7036. No doubt there are plenty of facilities but do you think that the present law is a just one, which limits the hours to from one to three and from five to eleven?—I do not think that the restrictions are any harm; they are something like chips in porridge, no good or harm. I people will get drunk they will get drunk; you see them round the corner of Watchorn's place like a lot of hogs running to the swill tubs, at one o'clock on Sunday, and I do not see any advantage in closing the public-houses up to that time.

7037. Do you not think that, at all events, it prevents their getting drunk, or makes it very difficult for them to get drunk before one o'clock?—No, not in the least.

7038. Do you see any drunken people about before one o'clock?—I do not, because the men go into private drinking houses, those that want to get drink, because as I said, every man in my employ knows 20 places where to get drink on Sunday morning.

7039. Do you see any drunk in the evening?—I get away out of town, and now I have not a man in my employ, except that goes to church or chapel, but what goes out of town. I am no more in London now of a Sunday evening, but if the honourable Member remembers London 20 years ago, you could not then go down the Kent road without seeing every public-house surrounded with seats and stools, and crammed right up to the roof with people drinking. That is all gone now, and that has not been done by restrictions, but by sending the people away where they can enjoy themselves more in the country, and more facilities are afforded to the people for education and even for religion that might be done if it is for the interests of religion to do it. If you were to add further restrictions to the present ones, you would raise a spirit of hostility and hatred which would only end in resistance or evasion; and that would do an immense amount of mischief. I know the habits of the people and I know what the feeling would be, and I would be a determination to resist; unless you add to your Act of Parliament, that you will make it at the same time penal or fineable for any gentleman to open his cellar after 12 at night on Saturday, until Monday morning, and allow his servants to inform against him and give them half the penalty for information; then you would catch the gentlemen too; and you would submit to it for a time, but you gentlemen would give way first.

7040. Is it not your opinion that the increase of sobriety of the population is the result of restrictive legislation as far as it has gone?—Where you see the greatest liberty, there you see the least

et drunkenness. If you go to Paris, as I have many times, you see unlimited liberty, and in Berlin, you may get drunk at any time you please on the Sunday, and you see no drunkards out; but in Scotland on a Sunday morning you see 200 or 300 men drunk on Glasgow-green, and if you go to Dundee you get 24 private drinking houses in one street.

7041. Who has seen them?—I have myself.

7042. Do you state to the Committee that you have really seen 200 or 300 men drunk on Glasgow-green on a Sunday morning?—Yes.

7043. When did you see that?—I should think must be about a year and a-half ago; I was at Glasgow. My nephew, who is with me in the business (and I can produce him if you wish it), served his apprenticeship at Dundee, and he was there about five years ago since the Forbes Macenzie Act came into operation; he and one of my neighbours for a freak, not at my instigation, went into 24 surreptitious drinking places in one street in Dundee alone, all *sub rosa*.

7044. I am asking you about this extraordinary number, because I think they must have got there for you to see all the drunkards of Glasgow together; and I meant to ask you whether you can positively say that you saw about a year and a-half ago between 200 and 300 men drunk on one Sunday morning at one time on Glasgow-green?—Yes; and I should think you might say treble that number, and I think you would not be very wide of the mark.

7045. Do you think that there might have been 100 there at once all drunk?—I think you might treble that number. I have known a gentleman who came and declared solemnly to me not two months ago that he saw 2,000 men drunk on Glasgow-green, and he counted them. I can bring that gentleman here; he is a gentleman of probity and standing, too. I do not vouch for it; it is merely a report; but when I can bring you the man who went into 24 surreptitious drinking places in one street at Dundee on a Sunday morning, I do not think that you need trouble much about what restriction does for you.

7046. I may take your opinion, because after all we do not want to argue with you, but merely to have your opinion, and it is this, is it not, that the improved habits of the population have not been the result of legislation?—No, by no means.

7047. And you decidedly think that increased restrictions would not make any further improvement?—I think that it would make it a great deal worse; you would have a spirit of hatred and resistance stirred up; that is the feeling you would rouse.

7048. Mr. Knatchbull-Hugessen.] You have found that the moral influence that you are able to exercise with your men has enabled you to reclaim them?—I have not a drunkard in my employ among 70 men.

7049. You are afraid that further restrictions would create a spirit of opposition which would counteract your moral influence for the future?—That is my opinion founded upon many years' close observation.

7050. Colonel Fane.] You would be in favour, would you not, of opening public institutions on Sunday, such as the Crystal Palace, the British Museum, and so on?—Yes, certainly.

7051. With a view of reclaiming the working classes from the drinking houses?—No doubt; 0.69.

yo may see that in Paris. If you go to Versailles, or over the galleries of the Louvre, you will see men with their wives and children walking about the corridors quickly and steadily with small baskets of refreshments in their hands, and you see no drunkenness there.

7052. Mr. Evans.] I think you said that you were acquainted with Paris; do you think there is less drunkenness there than in London?—I never saw a single drunken man or a dirty woman when I was in Paris.

7053. Are you acquainted with other European countries besides France?—No, not much.

7054. Your experience goes to show that in most parts of Europe where there is hardly any restriction at all there is very little drunkenness; or you would not be surprised to hear that that was the case?—Where people drink light clarets and things that produce satiety, drunkenness is much less than where people drink substances like malt liquor, which is adulterated and salted, and tobacco juice, and all the rest of the abominable rubbish, which is sold to the working men in this country, which produces false thirst; there you will always see drunkenness.

7055. Are you aware that the Germans drink quite as much beer as the English?—They might drink beer, but you would not like to drink the stuff that the working men there drink.

7056. Are you also aware that on the whole the Germans are an exceedingly sober people?—I do not know much about the Germans.

7057. Mr. John Abel Smith.] Is this your pamphlet which you refer to (*handing a pamphlet to the Witness*)?—Yes.

7058. It is called, I think, "A Warning Voice to the People of England on the Present Crisis"?—Yes; and it would be very well if some of the warnings were taken.

7059. Do you adhere to the opinions which you have expressed there?—I do.

7060. And you there state that in this "country we have too much liberty; liberty for evil"?—Yes; we have a great deal too much.

7061. What do you mean?—Liberty for men to break the laws with impunity. I believe that the trades unions, if properly managed, would have been a benefit, instead of which they have been a great curse. Certainly they have advanced the price of wages, which has been a benefit where education has entered; but where it has brought in such habits and manners that a brickmaker never works again till the excess of his wages is gone, it has been a mischief and a curse.

7062. Do you not think that liberty in drinking is liberty for evil?—I think not; it does not appear so to me; I do not see that that is so. I think that education puts that to rights.

7063. Is there not liberty of drinking in this country?—I do not see how you can restrict it. I cannot see how restriction upon drinking ever can produce any useful purpose, because men will drink.

7064. I asked you whether there is not liberty to drink in this country?—They have got liberty now.

7065. That is liberty for evil, is it not?—Yes; but that is not the liberty for evil that I mean; I mean allowing a lot of men to go before another person's door, as they did in the time of the tailors' strike, and intimidate those who were willing to work.

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Mr. R. Waygood. 15 June 1868. 7066. You entertain the opinion, I believe, that the reign of Queen Victoria is the most unfortunate epoch that the future historians of our country will have to record?—I believe it will be.

7067. And you entertain that opinion on the ground of the existence of strikes, the existence of exhibitions, and the absence of duty on the exportation of coal and iron?—Most essentially; and you will find it out. Whoever lives 100 years will see what a lot of fools we have been; and before that, too.

7068. The remedies which you suggest are the putting down of strikes and rattening, the subdivision of land, and an export duty on coal and pig iron?—All very useful and salutary measures, which I shall never live to see carried out.

7069. But those are your suggestions?—Those are my views.

7070. You wish also, if I am to collect your opinions from the pamphlet, to convert paupers into soldiers?—I do not wish to do anything of the sort; that is merely thrown out as a rough idea. You see it is only a piece of irony, whether they might not as well be turned into soldiers.

7071. And the poor law officials into officers?—It is only meant as a piece of irony. I do not see but what it should be quite as well to make soldiers and militiamen of them, as that they should be thieves, rogues, and vagabonds, and the prisons full of them.

7072. You entertain the opinion also, do you not, of the superiority of children who have attended museums and things of that sort, on Sunday, to those who go to Sunday schools?—I think if you were to go and see the effects of it at Paris, and see the exquisite taste displayed by them, you must come to that conclusion, for we are obliged to send for those very men to do our best work.

7073. In your pamphlet you have included a letter from a Mr. Harrison?—I have.

7074. Do you indorse his opinions?—Not to all their extent. There are certain inaccuracies there that I have since had time to read; and I do not believe that all his deductions from them are very good.

7075. You have also included in your pamphlet a statement from M. De Pontes, a Frenchman?—That is some of Mr. Harrison's portion.

7076. Mr. Locke.] Is it within your recollection that this very year there was a debate in the House of Commons with respect to the exportation of coal, and a fear entertained by a great many Members that we should, if we allowed it to go on, have no coal for our manufacturing purposes?—The South Staffordshire coal mines are already beginning to fail.

7077. Are you aware of that debate?—Yes.

7078. You entertain the same opinion upon a subject of that sort as a great many Members of Parliament?—Yes.

7079. You have been asked whether there is liberty for drinking in this country; is there likewise liberty for eating?—Yes.

7080. And is there liberty for smoking?—Yes, I think so.

7081. At present there is liberty for drinking, eating, smoking, washing, and for most other things, where you do not do your neighbour any harm?—Yes.

7082. Do not you think that that liberty ought to be continued?—I should think so, most unquestionably.

7083. And that laws should not be made with the object of restraining persons merely for the purpose of other people, without doing any good to the individuals who were inconvenienced?—Certainly not; class legislation is a bad thing.

7084. And sumptuary laws generally fail?—Yes.

Mr. JAMES TAYLOR STATON, called in; and Examined.

Mr. J. T. Staton. 7085. Chairman.] WHAT are you?—I am what is called the managerial sub-editor of a daily paper at Bolton, the "Evening News." I sub-edit the paper, and manage the business.

7086. Mr. Locke.] What is the population at Bolton?—At the last census in 1861, it was 70,396, and it is computed that we have increased since then about 1,000 a year; it is allowed on all hands that the present population is about 76,000 within the borough.

7087. Has your attention been drawn to the question of drunkenness on the Sunday?—It has.

7088. Have you any statistics with respect to that?—I have some statistics showing the amount of drunkenness for the year 1862, down to 1867; and they are compiled from the police returns. I will read them over with the permission of the Committee. In 1862, there were 686 males and 221 females, apprehended for drunkenness, making a total of 907; 244 on the Saturday, 231 on the Sunday, and 432 on other days. In 1863, there were 534 males and 134 females, total, 668; 179 on Saturday, 181 on Sunday, and 308 on other days. In 1864, there were 651 males and 147 females, total, 798; 214 on Saturday, 207 on Sunday, and 377 on other days. In 1865, there

were 592 males, 148 females; total, 740; 213 on Saturday, 198 on Sunday, and 329 on other days. In 1866, there were 596 males, 145 females; total, 741; 194 on Saturday, 201 on Sunday, and 346 on other days. In 1867, there were 625 males, 184 females; total, 729; 199 on Saturday, 187 on Sunday, and 343 on other days. So that there has been a general diminution in drunkenness; for whereas, in 1862, we had 907 cases of apprehensions in the year, in 1867, they had dwindled down to 729, a diminution of something like 20 per cent.

7089. Do you consider that that number is a large proportion of drunken people, considering the population of the place?—I do not, especially considering the character of the population, for at the present time we have a great deal of building going on, and we have something like 400 or 500 strangers in the town, such as masons and bricklayers, and they are classes of people who generally take their liquor rather freely.

7090. With regard to Sunday drinking, is it within your knowledge that many cases arise on Saturday night?—Yes; I believe that a great deal of the drinking on Sunday originates on Saturday night; parties get drunk on the Saturday night, and then, to use a Lancashire phrase, they must have a hair off the old dog on the Sunday

Sunday morning. I must state further that I believe that the cases, with very few exceptions, of Sunday drinking, are of persons who obtain liquor during the prohibited hours, and they are generally taken up before the dinner hour, or very soon after.

7091. That is before half-past 12 o'clock on Sunday?—Yes; there is a great deal of illicit drinking going on on the Sunday morning. When the houses are open you do not see any of those people; they go home, get their dinner, and perhaps have a sleep after that, and they end the jug in the evening if they want any more drink.

7092. Do you think that, if further restrictions were imposed, there would be further attempts to evade the law?—That is my decided opinion; I have often found in Bolton, as far as my experience goes, that where there has been any attempt to further restrict drinking on the Sunday, it has been attended with results contrary to the wish of those who promoted it; therefore, I think the more restriction there is, the more attempts at evasion there will be, and very likely collision.

7093. Has there been an increase in the number of police at Bolton?—There has been an increase of about 30, recently.

7094. Do you think that, in consequence of that, more drunken people would be taken up now than there were formerly?—Yes; I believe since those returns were published there has been to all appearance an increase of drunkenness, but it is more apparent, I think, than real, because the attention of the police seems to have been very much directed to that point lately, much more so than in former years; in fact, they seem to be directing their energies now chiefly to the prevention of publicans selling during prohibited hours, and to taking up drunken people. There has been a great deal of that in Bolton lately; for as far as my observation goes, I do not see more drunken people about the streets, but the police appear to be more zealous in that direction.

7095. You mean that more cases are brought to light?—Yes; there is not more drinking, as I understand, but there are more cases brought to light.

7096. You consider that a very large proportion of the Sunday drinking cases are to be referred to parties who obtain their drink during prohibited hours?—Yes, I do; there is one fact very patent in Bolton, that parties who get drunk on Sunday, for the most part get drunk during the prohibited hours, by evading the law on Sunday morning.

7097. Therefore, if any further restrictions were imposed, you think that the evasions would be greater?—I think they would be.

7098. In fact, if there were only three hours and a half during which drink might be obtained to be consumed upon their own premises, they would be driven to obtain it during a greater number of hours which would then be prohibited than they do now?—I think they would.

7099. But they would still obtain drink?—Yes, I think they would; and I think there would be another result if parties were restricted from obtaining liquor beyond what they are at present; that is to say, they would get a quantity of liquor in bottles in their houses, and there would be, in consequence, what we call fireside fuddling going on, much to the injury of the rising generation.

7100. Is that carried out to a great extent?
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now?—It is not at present, but I think it would be if the hours were further restricted.

7101. You think, at all events, that persons who are addicted to it would get drunk?—I think they would.

7102. And that this fireside fuddling would be increased?—It would be increased, much to the injury of families. I think that very bad examples would be set in their own homes.

7103. What is your opinion with respect to the feeling of the bulk of the population as to this Bill?—I think the bulk of the population of Bolton and its neighbourhood is decidedly against any further restriction.

7104. Is there any large portion of the public at Bolton who, in your opinion, are in favour of further restriction?—I do not think there is any very large proportion; in fact, the canvass recently made sufficiently proves that.

7105. Have you mixed much amongst the working classes of Lancashire?—I have for the last 20 years; and I have very closely observed both men and manners in Lancashire.

7106. Have you been observing their habits, and their preferences, and their tastes?—Yes, for at least 20 years.

7107. Has your attention been called to the evidence of the Mayor of Bolton?—I have read it in the public papers.

7108. The Mayor of Bolton gave his evidence with respect to a canvass, did he not?—Yes.

7109. At Question No. 4028, Mr. James Barlow, the mayor, gave evidence, in answer to a question from Mr. Abel Smith; Mr. Smith says, "Will you state to the Committee what the result has been?" (that is, of the canvass); and Mr. Barlow's reply is, "The whole town was canvassed; papers were left at each house, with certain questions of which the first was this: 'Are you in favour of closing public-houses and beer-houses during the whole of Sunday?' And in reply 6,377 were in favour of it; 1,783 answered 'No;' and 1,557 were neutral; the total number of papers returned were 9,717." Have you any observations to make with regard to that canvass?—I have this observation to make, that the number of householders in Bolton is 16,170, or thereabouts. Of course, we must make a certain allowance for females; there are a number of females who occupy houses, and I suppose the intention was not to take the opinion of females, though I do not see why they should not have given their opinion as well as anybody else; and I believe, according to Mr. Barlow's own statement, they only issued 10,000 papers, so that it leaves 6,170 to be accounted for. Of course, that naturally excites suspicion as to the reason why those 6,000 people were not supplied with papers as well as the others. And with regard to the committee, of course the gentlemen connected with that movement are very respectable people, and I should be the last man to doubt their word; but I object on principle to a statement of that kind being made unchecked by unprofessional parties. It ought to have been checked by somebody who belonged neither to the teetotallers nor to the Sunday closing people; but they had it all in their own hands, and they gave such statements to the people as they thought fit; and I believe that if the publicans had made a canvass and given their statements without such a test, the Sunday closing party would have been the first to call it in question upon that very ground. I think we cannot take it

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7110. Have you anything further to add upon that subject?—No, I think not.

7111. Evidence has been given with respect to the houses where there has been music on Sunday, has your attention been called to that evidence?—Yes; I have frequently gone into those places to see what kind of people were there.

7112. Will you state what you have observed when you have gone into those places?—I can safely say that, with one or two exceptions, I never saw a person drunk in one of those houses during the whole of the past 20 years. They are generally people who go there for a little company, and a little music, and social chat. After taking a walk in the country, they generally go there to finish up the Sunday evening. I always find them very well-behaved people. They do not go there so much for drinking as for a little recreation and enjoyment.

7113. Is it sacred music that is performed at those places?—It is of a composite character. Sacred music, selection from operas, and overtures; but no dancing tunes, as a rule, or very few; they confine themselves to what is called classical music, generally.

7114. What instruments have they?—Generally a piano, a small violin, a bass, and a cornet, that is about the extent, I think. Sometimes they have merely a piano and a violin.

7115. Does that music amuse the people?—It does.

7116. And are they there in any great numbers?—Yes, they are all pretty well attended.

7117. How many of those places are there in Bolton?—I should say, speaking from memory, about seven. I can count six.

7118. How many persons will the largest of them accommodate?—I should say that the largest of them will accommodate from 400 to 500 people at least.

7119. Are they ever full?—Very frequently.

7120. What would the smallest accommodate?—The smallest would accommodate about 60 or 70.

7121. You say that you have from time to time paid visits to those places, and you say that you have not observed any drunkenness?—No, not in those houses.

7122. The object of persons going there appeared to you to be for the sake of amusement and conversation?—Just so.

7123. Do you think it beneficial that those places should be open?—I do not think they do any harm. It is a mere question of taste. I think they do no harm. I think that the tendency of them as to the people going there is decidedly to induce them not to drink too much. They go to amuse themselves, and if they did not go there I think they would go to other places and amuse themselves with drinking alone.

7124. Are there persons of both sexes there?—Yes.

7125. Are there any children?—No children, or very few. You see young persons about 14 or 15; but no infants.

7126. But do men go there with their wives?—Yes, they go there with their wives, and sometimes with their daughters.

7127. And you say that their behaviour, so far as you have observed it, is very good?—Very good.

7128. Has your attention been drawn to the mayor's statement about excursion trains?—Yes.

7129. What was his statement as to that?—I understand rightly what is in the papers, in his first statement he said that there were excursion trains on Sunday, but I saw a correction afterwards in which he said that they were on the Saturday evening, and that the people returned on Sunday. In answer to a question he said that they generally took refreshments with them in small baskets. I think that is not exactly the case. I think the people who go from home on Saturday may take a little refreshment with them to eat and drink on the way, because Lancashire people have an idea that if they go about 30 miles they will want something before they get to the end of their journey, and they generally take a little with them; but they do not take all their food with them, at least those who go out on Saturday never do that unless they are going out for the day merely. I believe there are not many people who go away on Saturday and come home on Sunday. The railways afford facilities for staying eight days at certain places; you may take a ticket and you are allowed eight days at some places, and from four or five at others; but very few comparatively go on the Saturday and come back on the Sunday. Some years ago when there were excursion trains on Sunday, people went away in them in very large numbers. In fact they were considered by the people where they went to to be a nuisance. The clergy and other parties interfered and prevailed upon the railway companies to withdraw those excursions, and we have had none since; but when they were in existence the working classes went in them in very large numbers, indeed, to Liverpool, Blackpool, Southport, and other watering places, to the sea coast, in fact.

7130. Do you think it beneficial for them that they should go out on Sunday and breathe the sea air?—I think people who are cooped up in factories and foundries the whole week may receive benefit by going out into the country for fresh air on Sunday.

7131. Have you ever seen any of them on those excursions?—Yes; I have been on them myself.

7132. How have they behaved upon those occasions?—They behaved pretty well. I never had reason to complain. I never saw anything particularly wrong about them.

7133. Has it been necessary for the persons taking those excursions that they should be enabled to go into houses for refreshment?—Decidedly.

7134. Both for eating and drinking?—Yes; you cannot take a number of people away without their requiring places of accommodation.

7135. Supposing this Bill were passed and the hours were restricted, do you think that it would throw an impediment in the way of their obtaining this refreshment; even supposing that the houses were open to the traveller, would not they have a difficulty in convincing the licensed victualler that they were travellers?—Yes; I think that it would be a very great annoyance, and that it would induce parties, perhaps, to take a quantity of liquor with them. I may say on that point that we have near Bolton a place to which people frequently go on Sunday, it is in the neighbourhood of Rivington; there is a very high hill there called Rivington Pike, and it is

a place of very favourite resort for a very large number of people. The Liverpool water-parks are there, and some very large lakes, and on Sunday afternoon the inhabitants in parties come over there in traps, and spend their afternoon and evening upon the hills and roaming about by the lakes. There is only one public-house there, and no other place where you can get anything except toffy, or something of that kind, and this place is very largely patronised by the people who go there. If the present Bill were passed, I think it would be found to be a very great inconvenience indeed. In fact, I have heard people in Bolton express themselves very strongly with regard to that matter.

136. With regard to this Bill?—With regard to this Bill as applied to places like Rivington; have other places of a similar character to which people go on Sundays, and there is no chance of getting refreshment except at the inn or public-house established there.

137. Has your attention been drawn to the Mayor's statement as to the number of householders?—Yes.

138. What number is it that the Mayor gives?—I think he says about 13,000 or 14,000; corrected himself, I believe; at first he said 12,000, and I think he corrected himself afterwards, and made it 13,000 or 14,000; I am not certain about the figures.

139. At question No. 4091 he is asked, "You say that there are 76,000 inhabitants in Bolton; that is, including men, women, and children?" Yes.—And 14,000 householders, do you think? I am not prepared with statistics, but I could say there were 12,000 or 13,000 householders." And to that he adheres. Will you give me what your view of the case is?—There are 170 householders; that is the return which I have given to me, and I believe it was taken from the overseer's books, as the number of persons rated to the relief of the poor.

140. You have stated, with regard to the Bill in which the canvass was taken, that you do not think it was a correct mode of doing it?—I do not.

141. What would you suggest?—I should suggest that if there were a canvass of the inhabitants, they should leave a paper at every house, and then have the papers examined by the public accountant, some neutral man. I think that when the matter is kept solely within their own hands, they cannot at least expect the people to place that dependence upon it which otherwise they would do; in fact, I think if the other side were to take the same plan, it would be generally cried to by them, and I think they could repudiate it altogether.

142. Have you been present at any of the meetings which the Mayor spoke of that have been held in Bolton?—I was not present.

143. Do you set any store by them?—I do not place much confidence in those meetings; they are always attended by one party; the general public seldom go near them; they are very indifferent to them; you always find the same faces at those meetings.

144. How were they announced?—By public cards.

145. But does it state from whom the public card emanates?—I think it was a committee of the Bolton Branch of the Sunday Closing Association.

146. And, therefore, when a bill of that sort

is distributed through the town, persons are aware that this is a meeting of the Sunday Closing Association?—Yes, that is so.

7147. Are you of opinion that persons who are not favourable to that view do not attend the meetings?—They do not often go near them.

7148. Therefore, generally, they are all persons of one way of thinking?—Generally; I think that is the case, as far as my observation goes, and my knowledge of the parties.

7149. Your own opinion, and the opinion of the majority of persons in Bolton, is against the Permissive Bill, or any further restriction?—As far as my intercourse with the people goes, I find a general feeling against either restriction or the Permissive Bill. There are, of course, many people to be found in favour of both; but I think that the general feeling of the working classes is opposed to them. In fact, I may use a little argument to prove it: there are a great number of Odd Fellows and other societies in Bolton, who hold their meetings at public-houses. Attempts have been made upon some occasions to withdraw them from the public-houses, and to hold their meetings in private rooms. That has been the case in about half-a-dozen instances, but most of them have failed. The working classes would not go to private rooms; they would only go to meetings where they could have a glass of beer over the business; and when they have met at private houses, it has dwindled down to a mere office business, and nothing more.

7150. Has there been any canvass against this Bill at Bolton?—No, not that I am aware of.

7151. Have you ascertained the opinion of the licensed victuallers, or any of them at Bolton, with respect to the legislation proposed in this Bill?—I have heard a great many of them express their opinions.

7152. What opinions have they expressed?—They are all decidedly against it.

7153. Have they said anything that they would prefer to it?—The generality of them would prefer closing altogether, rather than keep a staff of servants hanging about their premises, merely to serve over the counter for some three or four hours. In fact, the public are rather apprehensive that, if this Bill is carried, most of the publicans will close their houses, rather than submit to the inconvenience arising out of it.

7154. They would consider it an inconvenience that they should have to keep up their staff for the purpose of keeping their houses open during the two intervals?—Yes; and there is another view that the publicans take of it, and I think that they are about right too, from what I have seen of the town; that if this Bill were passed, there would be great attempts at evasion, and that there would be a system of espionage established, of parties watching the houses to see that nobody entered except during the hours allowed by law, and also that nobody drank a glass of ale inside the house; of course, there would be a great deal of that existing, and I rather think that that would give rise to considerable ill-feeling and ill-blood in the town. I know that previous attempts to restrict Sunday business have caused great dissatisfaction.

7155. When was that?—I remember Mr. Wilson Patten's Bill.

7156. What was the effect of that Bill?—The people were very much dissatisfied with it.

7157. How did they show their dissatisfaction?—I do not think that they sent any petitions up formally.

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formally. I am not aware of any, but I could hear opinions expressed on all sides that they considered that it was an infraction of what was called their liberty or right.

7158. What portion of Mr. Wilson Patten's Bill did they particularly object to?—I think that it was to the portion which compelled the public-houses to close at 10 on Sunday evenings; a great many parties came in by trains late, and wanted refreshments before they got home, which they could not get, and they used to grumble very loudly about it.

7159. With regard to the publicans, supposing this Bill were passed, would it be any advantage to the persons employed in the public-houses that the number of hours which they have to serve customers should be diminished in the way suggested by this Bill?—I do not think it would; I think that the only way to benefit them would be to release them from their labours altogether, otherwise they would be kept about the premises just the same as they are now.

7160. They would only be able to go out for a short time?—Yes, they would have to be going in and out.

7161. And they would have to return to their work in the evening?—Yes.

7162. And that would likewise be a very great inconvenience to the public?—I think it would.

7163. Do you see any advantage whatever in passing such a Bill as this?—I do not; I think it would make matters worse than they are.

7164. In what way do you think it would make matters worse than they are?—By causing more attempts at evasion. I think that this kind of thing causes people to try to evade what they consider to be an unjust law, or an unnecessary restriction of their liberties.

7165. *Chairman.*] Are you in favour of restriction as far as it goes?—I think that the present law is very fair; I never heard a complaint about the working of the present law till the Sunday Closing Association sprung into existence, and began to agitate people's minds, and then, of course, we had all the teetotallers going in with them, and hence the present movement, I think.

7166. Do you think that the law lessened the amount of drunkenness by closing the public-houses up to one o'clock on Sundays?—I do not think that it has, because there are still drunken people about our streets on Sundays, who get their beer within the prohibited hours; it is well understood all through the town that it is so.

7167. Are there a great many drunken people about on Sunday forenoon?—Not many; but those who do get taken up for drunkenness, get their drink on the Sunday morning, and not in the afternoon and evening.

7168. Do you see as many drunken people about the town on the forenoon of Sunday as there are about in the evening?—You will see very few drunken people in the evening; those who get drunk in the early part of the day constitute our street drunkards, for the most part, and when they get home they stay there. There are a great many respectable people on Sunday evening walking about the street, who just call in at a public-house for a glass or two of beer, and no more.

7169. We know that there are a great many taken up on Sunday in the afternoon?—Not in the

afternoon generally, but on Sunday morning. They are generally taken up, I believe, during service time on Sunday morning. The police take people about the streets who have had drink, they take them up, and put them in the lock-up.

7170. Do you think that there are as many taken up between 11 and one on Sunday morning as there are, we will say, between 10 and one on Sunday night?—Yes; and more too, I should say.

7171. *Mr Knatchbull-Hugessen.*] You do not know anything about the public meetings that have been held in Bolton?—I know nothing other than that there was a meeting held, and that it was duly reported in our paper, and I read the report, but I was not present at it.

7172. The mayor told us this: "We have three newspapers in Bolton, and they all advocate Sunday closing"; is that the case?—No, it is not.

7173. How many newspapers are there in Bolton?—I think there is only one which advocates closing, and the proprietor of that belongs to the teetotal body. But the "Bolton Chronicle," weekly organ, which is the oldest paper we have, and the paper that I am connected with, do not advocate that view; in fact, they seldom allude to it, except in the way of public reports. To report meetings impartially, but nothing beyond that; they rarely express an opinion in any of their articles.

7174. I suppose that a great portion of the Bolton public are in the habit of drinking beer?—Yes, a great many of them.

7175. Do you think that they would generally agree with the mayor's opinion, that parties who will drink on the Sabbath should get their beer on Saturday evening, and bottle it up?—I think that that would be the greatest evil that we could possibly have introduced. The parties would get more than they required, if they had to do that; we have had an instance of that in Scotland. I think they would get larger quantities than were possibly required, and that it would induce those to get drunk who might otherwise keep sober.

7176. Beer bottled on Saturday to be drunk on Sunday might not be quite so wholesome as Sunday as if it was drunk fresh?—It would not be so wholesome; it is not quite the same as when drawn bright and fresh. I have read an account of the working of the Forbes Mackenzie Act, and one publican, giving his evidence, said, that he sold more spirits on Saturday than he used to do on Saturday and Sunday combined before the Act came into operation, because people bought larger quantities than they really required, and thence it has led to a greater amount of drunkenness.

7177. *Mr. John Abel Smith.*] Where was that?—I believe it was in Glasgow. I read it in the "Alliance News."

7178. *Chairman.*] Did you read the evidence given before the Commission, or any great portion of it?—No, I did not.

7179. Are you aware that it is stated that drunkenness has very greatly diminished in Scotland?—I have seen that statement; but I have seen other statements that say, although it might have diminished, as far as regards appearances in the public streets, yet there has been a great deal more of it in the dwellings of the people.

7180. Are you aware that the Commission made this report, that there had been a very great

decrease in the amount of drunkenness?—I believe they did; I can only speak from experience.

81. *Mr. Knatchbull-Hugessen.* Taking the question of Sunday music, are you aware that it is prohibited in London in the public-houses on Sunday evening?—I believe it is; it is prohibited at Salford, near Bolton.

82. Is not the prohibition in Salford, and also Birmingham, under the Local Improvement Act?—Yes.

83. Therefore, if it should be objectionable to have Sunday evening music in Bolton, that prohibition could be obtained by a local Act without having recourse to the restrictions of this Bill?—Decidedly.

84. With regard to Mr. Soame's Bill, should you say that there was a large manifestation of public opinion in Bolton in favour of that Bill?—No, I do not think that there was. If my report serves me rightly, the petitions that were presented from Bolton were principally signed at day schools, and places of that sort. I think there was no general petition from the inhabitants in its favour.

85. Was there a petition from the town council?—Yes, there was.

86. Was it signed by all the town council?—It was signed by the mayor on behalf of the council; but the town council do not always represent public opinion exactly.

87. Was it formally adopted by the majority of the town council?—It was formally adopted in a meeting of the council.

88. Do you think that that fairly represents public opinion of those who return the town council?—I do not think it does. I think that the town council does not represent public opinion at all upon Sunday questions, for they are elected for political reasons merely; and we are the result of that, that when they get to their offices we are apt to disagree with them upon almost every social question that they raise. I would give the Committee an instance that occurred about five or six months ago. We have a very fine park in Bolton, and the question was proposed to the council that this should be open on Sunday morning as well as Sunday afternoon and evening, and the council decided that motion; but by the time of their next monthly meeting, public opinion had so changed upon them as to induce them to rescind their former resolution, and the park is now open on Sunday. Last week they decided by a majority that there should be no refreshments of any kind sold in the park on Sunday; but I find public opinion is just taking the same form as it was upon the other question, and very likely at the next meeting they will be induced to rescind also.

89. As a general rule, you tell me that the mayor is elected with reference to his opinions upon the great political questions of the day and with regard to his views upon these kind of questions?—Yes; all of our municipal elections proceed entirely upon political grounds. We are divided into two sides, the Conservatives on one side, the Reformers on the other, and it is simply a case of a man is either a Conservative or a Reformer that he gets into the council.

90. Then this question of greater restriction is not been before the public of Bolton in such a manner as to be a prominent or a leading question at the municipal elections?—It has

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not. It has never interfered with our elections at all.

7191. *Mr. Evans.* I think you mentioned that persons coming home by trains on Sunday evenings; do many of them arrive after 10 o'clock at night?—Very few of them; there are some excursionists that do, but not as a rule.

7192. So that they would be in before 10 o'clock?—The latest of them would be in, I should say, as a rule, about half-past nine.

7193. You were asked about the number of householders; the mayor, I think, stated in round numbers about 13,000, and you say it is 16,000; would that difference be explained, supposing the female householders were included in one return and not in the other?—I do not think it would; I think that the mayor was mistaken; in fact, he was not posted up in his figures, and he as good as said so.

7194. *Mr. John Abel Smith.* You say that you have devoted a good deal of attention to the condition of the people of Lancashire?—I have.

7195. How have you done so?—By observation in my own town, by going amongst the people and being connected with some of their movements; and I have been generally a close observer.

7196. You have had no peculiar connection with the labouring class in any way, have you?—No, except in general movements, political movements, and in a few social movements.

7197. What were you formerly in Bolton?—I formerly was in business as a master printer.

7198. That business was not successful, was it?—No, it was not successful.

7199. Then you went to Manchester, did you not?—Yes.

7200. What did you do in Manchester?—I was employed at the "Manchester Guardian" office, as reader in the news department, at the general printing establishment. I had the pleasure of reading the "Alliance News" for two years as proof reader.

7201. And then you went back to Bolton?—Yes.

7202. Were you not the editor of a paper once?—If you call it a paper I was; but it was merely a humorous periodical in the Lancashire dialect.

7203. Which was called the "Bolton Luminary," I think?—Yes.

7204. How long did that exist?—Some eight or 10 years.

7205. You say there are three papers in Bolton?—Yes, the "Chronicle," the "Guardian," and the "Evening News."

7206. And you are attached to the staff of the "Evening News"?—I am.

7207. It is the "Guardian" that is devoted to the cause of the non-drinking party?—Yes, the proprietor of the "Guardian" is a total abstainer. In fact, he was formerly secretary to the British Temperance League; but the paper does not very commonly advocate the question; they meddle with it as little as they possibly can, I can tell you, because they do not find that it will go down with the working classes; and they are anxious that the Liberal side of the working classes should read their paper, I suppose.

7208. Is your paper on the Liberal side?—Yes.

7209. What is the "Chronicle"?—The "Chronicle" is in a kind of transition state at present; it has been Conservative, but, politically speaking, it is neither fish, flesh, nor fowl at present, if I may use the expression.

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7210. *Chairman.*] It calls itself Conservative?—By courtesy only. It has given very great dissatisfaction, mainly with regard to the Irish Church question, to the Conservatives, I expect. It is more an independent paper now, I should say.

7211. *Mr. John Abel Smith.*] Not one of those papers, as I understand you, has found any fault with the movements of the teetotal or non-drinking part of the population?—We never find any fault with them, neither do we advocate their theories.

7212. Have they ever, any one of them, expressed any opinion as to the unfairness, or incompleteness or insufficiency of any canvass that has been made?—No, not that I am aware of.

7213. Do not you think that if it had been thought to be so, they would have noticed it?—No, I do not think they would, because they like to keep clear of these questions. I know from experience, that as much as possible they keep their fingers off them; they do not increase their popularity by meddling with them.

7214. Would you do me the favour of looking at this; that is a statement from the "*Guardian*," is it not (*handing a paper to the Witness*)?—This is from the "*Bolton Guardian*."

7215. But is it not a report of a public meeting?—Yes, I suppose it is.

7216. Did your paper make a report of that meeting?—Not so full as that.

7217. But you did make a report?—Yes.

7218. And did the "*Chronicle*" do the same?—Yes.

7219. And without making any adverse remark upon it?—We made no comment in any way; we simply gave a report of the proceedings impartially, without reference to either party.

7220. Should not you consider that, upon any other question, it was quite conclusive that there was a very large proportion of the inhabitants of Bolton in favour of those opinions?—If you mean from the fact of the paper not having said anything against it, knowing what I do know upon that subject, I should say it is not conclusive of anything of the kind; because I know that the papers in Bolton like to keep from meddling with the question at all.

7221. I ask you whether or not, in reference to every other question, it would not be conclusive as to the fact that a large proportion of the population are in favour of it?—In a general sense it would.

7222. Has there been any movement or meeting, private or public, against the teetotallers, or the Sunday closing party?—No.

7223. Do not you think that curious?—No; because they never do meet in Bolton in opposition to anything of the kind. We allow other parties to meet as often as they like, but we never have any counter-demonstrations; but I believe there would be some counter-demonstrations if this Bill were carried. I believe, generally, the people in Bolton run away with the idea that it will not be carried; they think it is too preposterous.

7224. Do not you think that if they felt that it was so preposterous, they might have made some exertions to prevent its passing?—I believe that if a petition was got up against it, it would be very numerously signed.

7225. Why have they not done so?—I cannot answer that question; I have not read anything upon it.

7226. The present Mayor of Bolton is a teetotaler, is he not?—Yes.

7227. And the last Mayor of Bolton was teetotaler?—Yes, he was.

7228. Does that not look as if there was really a feeling in favour of that cause in Bolton?—It does not.

7229. What does it say?—It says nothing further than this; that in the case of two men who have been officially connected with the borough for a large number of years, there is a general idea that they were entitled to the mayorship from the fact of long service; but there are a great many people in Bolton at the present time who are not satisfied with the present mayor's reference to these matters.

7230. But they have not given any expression to it?—Only by talking in company privately by any public demonstration.

7231. Do you doubt the fact that the restrictions at present existing are in favour of temperance?—I think that restrictions of that kind do not produce temperance at all. I think the improvement in the habits of the people has resulted from the facilities afforded by the railways going out into the country; and by the liberality of the press introducing cheap literature, and that has been a great deal of reading, and I think the people cannot read without being improved; I attribute the improvement of the people of Bolton to the fact of there being a good many cheap newspapers to read, and the facilities for rail travelling. I do not think that Sunday restrictions have had much to do with it.

7232. Do not you think that the existing restrictions have tended to diminish drunkenness?—I do not think they have.

7233. Has Bolton accepted or carried into effect the restriction which closes public-houses at one o'clock in the morning, and which prevents them remaining open all night?—It has.

7234. Do you think that has been beneficial?—I think it has.

7235. Why do you think so?—Because there have been less brawls in the street at night; people cannot stay out so late, of course.

7236. Has not restriction been useful to the whole of the population. There were no dissentient voices; even those most opposed to further restrictions on Sundays went in for it; the Methodists and all were in favour of it.

7237. Then, as a whole, the already existing restrictions are cheerfully accepted?—Yes; nobody complains about them.

7238. Why do you think that further restrictions would not be cheerfully accepted?—I do not think that inference from what I hear expressed by the public on all sides daily.

7239. What do you recollect about Mr. Vason Patten's Bill?—I recollect nothing further about it than that the public-houses were obliged to be closed at 10 o'clock on Sunday evening, and there were a great many expressions of dissatisfaction in Bolton.

7240. But there was nothing like disorder or public resistance?—No, I do not think there was anything of the sort; but it was generally disagreed with, and the people were very angry when it was done away with.

7241. You have given certain numbers as to the cases of drunkenness in Bolton; that in 1862 there were 907 people taken up; and in 1863 there were 668?—Yes.

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7242. Can you tell me the reason of that sudden drop?—I cannot.

7243. In the other years there is a small reduction year by year, but there there is a very great drop; what is the reason of that?—I cannot tell; I do not know what there might be in existence especially at that time, but those are the figures taken from the books, showing a diminution of at least 20 per cent.

7244. Do you know what orders are given to the police in Bolton with regard to dealing with drunken people?—Not precisely; but the understanding has been for some time that they should make no man up for being drunk unless he was incapable of going home or was creating a breach of the peace, but I believe they carry it out further now; they do not confine themselves to that; they are rather more strict, I believe, and parties are taken up now, some of them, if they are only found staggering as it were.

7245. When was the number of the police increased?—I should think about six months ago; it is only just come into force.

7246. Do you recollect what effect Mr. Wilson Patten's Act had upon the number of drunken cases?—I do not.

7247. Do you know how long it was in operation?—About 12 months I believe.

7248. If that was the case, have you never looked at it as if you wanted to understand it?—I have not; I have never paid attention to the figures on the subject.

7249. Although you have paid considerable attention to the working of those laws upon the working population?—I have a very vivid recollection of the matter, and the state of public opinion with regard to this question at the time when the Act was in force, but I am not in possession of any statistics of the cases of drunkenness or crime within that particular year.

7250. Do you believe that drunkenness is in proportion to the opportunities of drinking?—I do not believe that exactly; I believe that parties will make opportunities if they want drink. I think that sobriety is created not by restriction but by education and the moral improvement of the people; that is my view of it.

7251. What religious denomination do you belong to?—The Unitarians.

7252. With regard to those music licenses, do you find a large number of young men and young women attending those houses?—Not a great quantity, but a fair proportion.

7253. Do not you think that that is excessively injurious to their morals, and very dangerous to the well-being of those young people?—I think that if they did not go to those rooms they would go to other places.

7254. What do you mean by other places?—Other public-houses where there was no music.

7255. You think that those young people are not tempted there?—I do not think they are.

7256. You do not consider it a temptation to those young men to attend houses having music?—I do not think it is very much; it may be to some of them, but I think that generally, if there were no music in those public-houses they would go elsewhere.

7257. And, generally speaking, you give an opinion, whatever it may be worth, against further restriction?—Just so. I simply give my own opinions from the observations that I have made of the public around me.

7258. Were you sent for to appear before this

Committee, or is it a voluntary attendance?—I was sent for.

7259. By whom?—I got a subpoena from Sir James Fergusson. I was asked, as a gentleman occupying a neutral position in Bolton, as belonging neither to the publican interest on the one hand, nor to the teetotal interest on the other; as a man connected with public affairs for the last 20 years, I was considered to be one who could speak to the feeling of the town.

7260. Were you supposed to be in favour of the publican interest?—The party who spoke to me did not know what side I was on.

7261. Were they connected with the publican interest?—No; the gentleman who spoke to me had no connection whatever with that interest.

7262. Mr. Baines.] You stated that you believed that there is less liquor drunk where music is employed, than there would be where there was no music?—I believe that there is; I do not think that they go to such places so much for drinking as for enjoyment.

7263. May I ask you for what motive do publicans introduce music, if it does not cause more drinking; if it causes less drinking, would not it diminish their profits?—Of course it would; but I think that it perhaps operates as an attraction to bring more people to their houses, instead of going elsewhere.

7264. Is not that rather opposed to what you have said; I understood you to say that there was less drinking in consequence of music being introduced, whereas now, I think you say, that music tends to bring them to those places where, of course, they drink?—It has a tendency to bring them there in preference to going to other houses, where they might find nothing to do but drink.

7265. Is it not quite certain that the motive of the publican in introducing music is to get the people there?—To get more of them to his house.

7266. And to get them to drink?—Yes.

7267. He gets no benefit by the music, does he?—No.

7268. He gets a benefit solely by the sale of drink?—Yes.

7269. Therefore, he can have no possible motive, can he, but to sell as much drink as possible?—No, and to bring as many customers to his house of an evening in preference to their going elsewhere.

7270. Do you think that many persons share your opinion, that those places where there is music on Sunday are beneficial rather than injurious?—I believe that there are a great many people who share that opinion.

7271. Do not you believe that there are a good many people who think otherwise?—Yes, a great many.

7272. I will just ask you with regard to persons who are employed voluntarily without pay, from year to year in teaching in Sunday schools, and who feel interested in the welfare of the people; what do you think is their opinion upon this subject?—I think they are decidedly opposed to such places.

7273. You say that you have been in the habit of attending those places for nearly 20 years, and I took it down that you had only seen one or two drunken persons in them during those 20 years?—I said that I had been in the habit of occasionally dropping in at those places to see the things that were going on. I have not been an habitual

Mr. *J. T. Staton.* habitual attender; I cannot remember that I ever saw any drunkenness going on in them, nor any drunken brawling, the company generally seem to be well-conducted and well-behaved persons.

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7274. What do you think is the probable result upon young persons, upon Sunday scholars, for instance, of going and spending the Sunday evening in places where drinking is going on around them?—I do not agree with young people going into public-houses to spend their time at all.

7275. You think it is a demoralisation?—I think it is injurious to young persons, but I take the fact as it is, that they do go, and they would go under this Bill that is now before the Committee.

7276. Does it follow that if you close those public-houses and music saloons on Sunday evening, there would be no place of the kind to go to?—If you close them altogether there would not, of course.

7277. That is the very object which it is proposed by this Bill to accomplish, that they should be closed altogether for consumption on the premises?—I think, as far as young people go, it would have a tendency to prevent them, of course, but I think it would drive people to evade the law.

7278. Have you any figures to give us to show that the opinion which you have formed that the cases of drunkenness generally occur on Sunday morning is a correct opinion?—I have not examined the figures; I have my information from parties who know the facts of the case, but I have no figures to show; the police returns will tell that.

7279. Have you any figures to show that there has been an increase in illicit drinking on Sunday in Scotland; you expressed an opinion that there had been?—No; I have no figures. I merely was alluding to something which I had read in the "Alliance" newspaper some two or three years ago.

7280. Just allow me to ask whether you are aware that evidence has been given that not only have the cases of drunkenness in Scotland been exceedingly, remarkably, and, I may say, suddenly diminished, since the introduction of the Forbes Mackenzie Act, on the Sunday, on the Monday, and on all days of the week; but are you also aware that the quantity of spirits and intoxicating liquors sold is very much diminished?—I have seen that statement in the paper.

7281. If that is so, it is not possible that there should be that amount of illicit drinking which you indicate?—I have seen a counter-statement in the paper, to the effect that a good deal of smuggling goes on in Scotland, and that might account for it.

7282. Have you any evidence upon the point?—No.

7283. You, as a public man, must know that we must govern ourselves by Parliamentary and other papers and returns, and I dare say you know what the general character of those returns is; do not you think that it is reasonable if we found that those returns confirmed the statement which I have just been making to you, to believe in them?—Certainly; I do not say to the contrary.

7284. You have mentioned something with regard to clubs being held in public-houses; are you aware that the treasurers of a number of

those clubs which are held at public-houses are publicans themselves?—In a great many instances, to my certain knowledge, they are.

7285. Is not that rather a strong reason for their being held so much at public-houses, when there is that identity of interest between the publican and the club, instead of removing them to other places; would not the mere interest of the treasurer and the influence which he has over the club sufficiently account for their being kept there rather than removed to places which might, on other grounds, be considered less objectionable?—No, I do not think that is the reason at all. I think the publicans themselves have very little influence in those clubs; they very seldom go into the meetings; they are members, but with very small influence. The feeling of the working men is decidedly in favour of meeting in places where they can have a little refreshment; because I have known one or two of those clubs when they have gone away from the public-houses to have been compelled to come back again; they could not get their members together at all in private places, apart from the public-house influence altogether.

7286. Are you aware of having seen in the public papers, which, as a public man, I am inclined to think you will be aware of, that it has been made a matter of complaint against clubs of that kind, that they do tend to promote drinking?—I have seen that statement.

7287. That kind of complaint, if I recollect rightly, prevailed for a great many years very extensively; I think I have seen statements from official men, some of which were in the newspapers, is not that so?—Yes.

7288. And you, as a public man, must have heard of them?—Yes; there have been complaints made by parties who put the opposite view of the thing; the teetotallers began to complain about it; but with all their complaints they have not induced the working classes to leave the public-houses; they have stuck to the public-houses for their meetings still.

7289. Still I think you do not deny, that, comparing the present with the immediately previous law, the restriction has worked beneficially?—I do not object to it.

7290. That is a great restriction as compared with the year 1831 or 1839, whereas then public-houses might be open nearly the whole 24 hours on Sunday, now they can be open only eight hours; do not you think that that must have had a good effect?—I have no doubt it has had a good effect. The public generally are disposed to accept the present law as a good law; they are quite satisfied with it as it is at present.

7291. You stated, did you not, that the present town council was not elected with any reference to the liquor question?—No, they are not elected with any reference to the liquor question.

7292. May we not consider that the decision which they have come to on that liquor question is more unprejudiced than if they had been elected with reference to it?—I think that the decisions come to are simply the opinions of the members themselves, but my argument was that they do not represent the feelings of the town or the opinion of the town; and I gave an instance where the town had, as it were, compelled them to reverse their decision, because they had gone against it upon the matter of going into the park on Sunday.

7293. But

7293. But that is not connected with the liquor question?—It has a slight bearing upon

7294. *Chairman.*] Did the town council try to close the park on Sunday?—Yes; it was closed from Saturday until a certain hour on Sunday afternoon. A resolution was rejected that they should open the park, but public opinion was so strong during the month that they found it convenient to rescind their resolution.

7295. *Mr. Baines.*] But my observation upon that is, that it has nothing whatever to do with this question?—My proposition is, that the town council does not represent public opinion upon those questions. There are nothing but political considerations enter into our municipal elections, so that it is not a very great wonder to find the town council differing from the bulk of the people on social questions, which we do frequently find to be the case.

7296. It is exceedingly undesirable that we should have anything of a political or party character introduced here; and it is not with reference to that that I ask, but with reference to the opinions upon the subject of Sunday closing. *Mr. Samuel Pope*, I believe, who has taken a very active part indeed in favour of Sunday closing, was a candidate, was he not, for Bolton at the last election?—Yes.

7297. Did he run the present Members, who were returned, very close?—I cannot exactly remember the figures; all I know is, he did not succeed in getting in.

7298. That I assumed when I stated to you that he was a candidate, and I asked you if he ran hard the Members who were returned. Is the candidate brought forward by his party at present; I do not care which side that is; but is he now brought forward again?—He is not yet.

7299. It is rumoured so, is it not?—Yes, it is rumoured, but he is not formally invited, nor has he accepted; he has been spoken about, that is all you can say.

7300. *Mr. Locke.*] At present I believe the members are upon the one-and-one system; one is a Conservative, and the other is what is called Liberal?—Yes.

7301. And you say, as I understand you, that that question has never been raised at Bolton?—Not at the municipal elections; it has at the Parliamentary elections.

7302. Upon the occasion alluded to by the honourable Member for Leeds?—Yes; and I am afraid it proved fatal to *Mr. Pope*.

7303. What were *Mr. Pope's* political principles when he came forward?—He came forward as a reformer, but he was objected to by a great many on account of the position that he held with regard to the Permissive Bill; they will tell you to this day, in Bolton, that *Mr. Pope* lost his chance on account of his being connected with that Bill; it is a matter of common belief in Bolton.

7304. What are *Mr. Pope's* politics?—I think it is what you may call a radical, rather than an ordinary reformer.

7305. He was in favour of the Permissive Bill?—Yes.

7306. And he was not successful?—No, he was not.

7307. You have been asked with regard to

persons going into those music places on Sunday evening, being induced to drink more than was right, but I understood you to mean this, that when persons go into a place where there is music they drink less; that they do not go there expressly for the purpose of drinking but to hear the music, therefore they drink less than if they were to go into a public-house where there was no music?—That is my opinion.

7308. If a publican induces six persons to go there in place of one, probably there would be more liquor consumed by the six than the one would consume, but still each individual would drink less?—That is the idea which I wish to convey to the Committee.

7309. You have been asked about the publicans being the treasurers of those different societies; are the publicans at Bolton, as a body, respectable persons?—They are.

7310. Might not this be an inducement to those societies to make them their treasurers, that they might be sure that their money would be safe in their hands?—There is no doubt that money is safe in their hands, and I do not remember an instance to the contrary; it never has proved otherwise. It is a matter of great convenience to have the publicans as the treasurers; for this reason, that when money is to be applied for for any purpose, they are always to be found at home, and they can easily accommodate them; but if they were to have a person who worked at some foundry or a cotton mill, he could not always be got at.

7311. In point of fact, the publican then acts as a species of banker?—Just so.

7312. And his banking-house is at the public-house?—Yes.

7313. Whereas, if they had merely a room, the room might be shut up when they went?—Yes.

7314. And would only be open as you say, upon the occasions when the parties wanted to meet there?—That is all.

7315. *Mr. Knatchbull-Hugessen.*] To clear up one point about the evidence which you gave with regard to the newspapers, I suppose, that one object of the editor of a newspaper is to keep on good terms with all parties, so as to maintain and increase the circulation of the paper?—Just so, or always to keep on good terms with the political party whose views he promotes.

7316. The absence of any editorial comments upon that temperance meeting might possibly be accounted for by a desire not to offend on the one hand those good and earnest men who believe that temperance would be promoted by further restrictions; and on the other hand, those equally honest men, who believe that restrictions would not improve the tone of public morality?—I believe that that is the feeling.

7317. *Colonel Fane.*] You have given a good deal of evidence about those musical parties at public-houses in the evening of Sunday; and we have had some evidence that psalms, and such things, are sung in public-houses in various places on Sunday; is that the case in Bolton?—I never heard a song sung in a public-house on a Sunday in Bolton, nor did I ever hear tell of such a thing; I believe such a thing would be cried down at once.

7318. Was the character of the music invariably secular, or was it the reverse?—I never heard

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heard any singing in public-houses at all, and I never heard tell of it; it is all instrumental music, principally operatic selections, and some sacred music; I have heard all Mozart's 12th Mass played, but it is merely instrumental.

7319. Mr. *John Abel Smith.*] You never heard other words sung to sacred music?—I have never heard any singing at all in a public-house on Sunday, and I do not think the public would tolerate it; it is all instrumental music.

7320. *Chairman.*] Is the music supposed to be a tolerably good class, or is it poor stuff at the public-houses?—It is tolerably good; they have operatic selections and overtures.

7321. I mean is the music supposed to be tolerably good in its performance?—It is such that you would not pay sixpence to hear at a concert but at the same time it seems to suit the popular taste.

Thursday, 18th June 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Horsfall.
Mr. Knatchbull-Hugessen.

Mr. Locke.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

DUNCAN M'LAREN, Esq., a Member of the House; further Examined.

22. Mr. Roebuck.] HAVE you some explanation which you wish to give to the Committee in respect to your former evidence?—There are two points which I wish to explain. In answer to Question 2666, I said that the origin of the Forbes Mackenzie Act, which has been so much talked of, resulted from the Edinburgh meeting of magistrates in 1852. I wish to be allowed to explain, in modification of that statement, that in 1850 Lord Kinnauld brought in a Bill for the same purpose, and carried it through the House of Lords, but it was rejected in the House of Commons on the 16th of July 1850. In 1851, Lord Kinnauld carried through another Bill for the same purpose in June 1851, but it was rejected by the House of Commons in July 1851, and those Bills may, therefore, be said to have been in some degree the origin of the legislation; but the feeling was so strong against the possibility of these Bills being passed in the House of Commons that nothing was attempted in the Session of 1852; and then came the proceedings of the Edinburgh meeting of magistrates, the results which flowed from it, which tended to change the current of public feeling in Scotland; and then an effort was made in 1853, which was successful. The Bill of 1851 was objected to by nearly all the Liberal Members, Mr. Hume, Mr. Ewart, Lord Duncan, Mr. Fearns, and Mr. Elliot. In order to show the unanimity of the feeling at that time, in 1851, according to Hansard, "Mr. Hume said, that the

Bill was objected to by almost every man in Scotland, and that Honourable Gentlemen did not know the annoyance which he had experienced in continually having to receive deputations requesting him to oppose it." My statement, I think, was substantially correct in spirit, that it was the proceedings in Edinburgh in 1852 which changed the current of opinion in Scotland, and, therefore, may have been said correctly enough to have been the origin of the Act of 1853. The other matter which I wish to correct is that, in my answer to Question 2668, I said that the Edinburgh committee framed a draft Bill, which they gave in charge to Lord Kinnauld and Mr. Forbes Mackenzie, and that those gentlemen carried through the Act. I wish to explain that the draft Bill prepared in Edinburgh was given to those gentlemen in 1850 or 1851, with reference to the two former Bills that I have mentioned; but the Edinburgh committee sent up a deputation in 1853 to help to perfect the Act, which was ultimately passed, and they did what they could to promote it; but Lord Kinnauld was certainly the main author of the Act, and had far more to do with preparation than either the Edinburgh committee or Mr. Forbes Mackenzie, or anyone else.

7323. Mr. John Abel Smith.] You have made one omission in your statement; to be quite clear, were not Lord Kinnauld's Bills of 1850 and 1851 for closing on Sunday?—They were.

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Captain HENRY SEGRAVE, called in; and Examined.

324. Chairman.] You are Chief Constable of Wolverhampton, are you not?—Yes.

325. Are you aware of the provisions of the Act before this Committee?—I am.

326. Will you state to the Committee whether you are in favour of the change proposed?—I think that the present Act works very satisfactorily, and I am not in favour of the change proposed.

327. Why do you think that any increased restriction is inexpedient?—For the simple reason that Wolverhampton is so situated that it stands between what is described as the mining district of Staffordshire and the agricultural district. As

a rule, on Sundays in fine weather the whole of the population of Wolverhampton and of the towns of the neighbourhood go out into the country, and they return to Wolverhampton at a very late hour in the evening. As long as they can remain in the country they remain, and they return to Wolverhampton from 10 to half-past 10; and I consider that it would be a hardship upon the working classes, who appear to me, as far as I can judge, to be sober, to deprive them of what may be considered as necessary refreshment at that hour.

7328. You say that the working classes of Wolverhampton, as a rule, are sober in their habits?—I think that they are very sober.

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7329. And

Captain
H. Segrave.

Captain
H. Segrave.

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7329. And do those people who go to the country on excursions on Sunday and return in the evening generally return sober?—I think they do.

7330. There is not any general complaint of many people coming back in a state of insobriety?—On the contrary, the Sunday is a remarkably quiet day in Wolverhampton and the district round.

7331. Can you state to the Committee whether there is a greater number of persons brought up for drunkenness on Monday morning than on other days of the week?—No, there is not. I have got statistics of drunkenness for the last 10 years, and they show a decrease in the number, and I may say a very great decrease when we consider the increase in the population.

7332. Have you those statistics in a concise form?—I have.

7333. Have you here returns of the number of persons taken up for drunkenness between Saturday at 12 midnight and Sunday at 12 midnight?—I have a return of the prisoners, not of those taken up, because some of those who appear there as prisoners on Monday may have been taken up before 12 on Saturday. I have given the numbers of prisoners who are in custody from Saturday night at 12 o'clock to Sunday at 12 at night.

7334. Can you give us the numbers between Saturday at 12 midnight and Sunday at 12 midnight, and also from Sunday 4 a.m. to Monday 4 a.m.?—Yes.

7335. In the first case, the Saturdays and Sundays might be mixed, but in the second case they are distinguished?—Yes.

7336. Will you state to the Committee the general effect of that return?—We calculate that the population of Wolverhampton increases 1,000 per annum.

7337. What is the present population?—About 68,000. In the 12 months ending the 3rd of May 1858, when our population was 58,000, there was a total of 198 persons arrested and summoned from Saturday at 12 midnight until Sunday at 12 midnight. From Sunday, 4 a.m. until Monday, 4 a.m. there were 107.

7338. Mr. Roebuck.] Will you take the first of the 10 years and the last of the 10 years?—In 1868, up to the 3rd of May, the population being 68,000, the total number arrested and summoned is 103; that is, from Saturday at 12 midnight to Sunday at 12 midnight, and from Sunday, 4 a.m., to Monday, 4 a.m., the total arrested and summoned is 55.

7339. Chairman.] So that there is an actual diminution, although the population has increased?—There is a decrease of 65 in number.

7340. Will you put in that return?—Yes. (*The same was delivered in, vide Appendix.*)

7341. You have told us that you thought that it would be a hardship that persons resorting to the country on Sunday, as it is the habit of the people in Wolverhampton to do, should find no places of refreshment open on their return; but would they not be able to get their refreshments before they return?—I think not; and my impression, from the experience I have had, is that the Bill, if passed, would encourage what I think highly objectionable; that is to say, a very large amount of private drinking.

7342. Mr. Roebuck.] By private drinking, I suppose you mean illicit drinking?—Yes.

7343. Chairman.] Why would they not be able to get refreshment either in the villages which they have gone or while they are returning?—If the Bill passed, I conceive that they would not be able to get refreshments at different public houses along the road.

7343*. They would be travellers still, would they not?—Possibly they would be, but we cannot out the law so very strictly in that neighbourhood, that, even in the case of travellers by railway on Sunday, we are very often obliged to send a police officer to obtain admittance for them at the public-houses; they will not admit that they are travellers.

7344. Is that on account of the strictness of the interpretation put upon the Act by the magistrates in Wolverhampton?—I think that the Act has a very strict interpretation put upon it by the magistrates in Wolverhampton, and I think that it is extremely well carried out.

7345. You think that the case of those excisionists would not be met by the exception in favour of the traveller?—I think that it would not; I think that it would occasion a great deal of difficulty.

7346. Are there any complaints made against the law as it stands?—I have not heard any.

7347. Do you think that drunkenness has decreased on Sundays on account of the restricted hours?—I think that drunkenness has decreased generally through the district, in consequence of the improved habits of the people. I do not think that the law has had any effect in producing that result. I think that the people are becoming very much more provident and better educated, and the law has been better observed in consequence of their improved habits.

7348. Do you mean that there is a very strict observance of the public-houses on Sunday?—It is as strict as it is possible to be with a limited police force in a very large town.

7349. You do not think that the law is much evaded?—I do not think so. I think that the law is evaded not in public-houses so much as in beer-houses. I think that the beer-houses require looking after a great deal more than the public-houses. So far as the publicans in Wolverhampton are concerned, their desire, I think, is to conform to the law.

7350. Mr. Roebuck.] How long have you held the office of chief constable?—Eleven years.

7351. And during those 11 years you say that you have witnessed a marked improvement in the habits and manners of the people?—I have.

7352. And you attribute that not so much to the operation of restriction as to the operation of improved education?—I do.

7353. Can you give me any opinion of the general views of the working classes at Wolverhampton; have you formed any opinion as to their wishes respecting this Bill?—I think that they are pretty equally divided. As far as petitions are concerned, I think it is very easy to get signatures to a petition pro or against. I have heard, and one or two officers under my control have told me, of one or two occasions where there have been speeches made against class legislation, but I put no trust in these things. I really think that the working classes of Wolverhampton have very little interest in the matter; I do not think that they really care much about it.

7354. You think that they are apathetic?—I think so.

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355. Are they apathetic because they believe the Bill will not pass?—I cannot say that.

356. You cannot say whether that is the reason, or whether they are really indifferent in caring nothing about it?—I think that they are indifferent and care very little about it.

357. Do you suppose that if the thing were tried they would be still indifferent and not care about the result of the Bill?—I suppose it would cause some inconvenience to them at first, I think afterwards that they would bear it the same as any other law that would be passed; in a very short time they would do so.

358. Do you think that, possibly, they would for the entire closing altogether all the week?—I do not know that; I do not think they would. In fact, from the nature of the works in Wolverhampton and its neighbourhood, they require a certain amount of stimulant, because, working in iron-works before blazing fires all day, they require a certain amount of stimulant which they have been in the habit of taking, and they would be very seriously inconvenienced if they lost it.

359. Then you draw a distinction between Sunday closing and entire closing; you think that entire closing would cause discontent, and that closing on Sunday would not cause discontent?—I think that closing on Sunday would cause discontent to a great many, no doubt, because, according to reports which have been furnished to me, we have on the average at least 10 lodgers, who are little more than tramp lodgers; they come there for perhaps three or four days, or they may stop a week; and if they are to be prevented from having anything to drink, except in their lodging-houses, where perhaps six or seven families live in the same room, it would not only be extremely inconvenient, but they took the drink at the lodgings, they would object the lodging-house keeper to very severe penalties for allowing drinking in the house.

360. Why do you fancy that there would be increased illicit drinking in consequence of the restrictions proposed by this Bill?—There are always a certain large number of people in a town who like to have their drink on Sunday, and if they cannot get it in the public-house there are plenty of publicans and beer-house keepers that will supply them illicitly, and they will take it to their own homes. The effect would be this, that in the public-house or in the beer-house there is a certain amount of fear, or there is a certain amount of shame attached to getting drunk, whereas in their own houses that fear or shame would not affect them.

361. Do you think that the influence of the persons that they meet in a beer-house would be greater in keeping them sober, than the influence of persons that they meet in their own houses?—I do.

362. Do not you think that the influence of the wife and children might keep them sober?—I do not think it would.

363. But you think that the wife would be dragged in to get drunk, too, I suppose?—Unfortunately females are almost as bad as males, in some cases out of 10, I think.

364. It has been stated here by various persons who have given evidence, that men usually get drunk upon beer, and women on spirits; do you make that distinction?—No, I think they both generally get drunk on beer; at least in Wolverhampton I think that beer is what is generally drunk by the working classes.

7365. Speaking of the present state of Wolverhampton, you think that, from your knowledge of the workmen generally, you may consider them to be a sober well-conducted body of working men?—I think that the law is working very favourably now, and I do not think that an improvement would take place provided the proposed Bill was passed into a law.

7366. You think that it would be better to leave well alone?—I do.

7367. That is really the moral of your evidence?—That is the moral of my evidence.

7368. Mr. *Horsfall*.] The working classes of Wolverhampton, I think you said, have considered this Bill?—I understand that there have been petitions for and against.

7369. You think that there is considerable apathy upon the subject?—I do think so.

7370. Would there be any great objection to altering the hours at which the public-houses and beershops are open?—I think there would be an objection as far as this, that it would inconvenience a great majority of the public very considerably. At present I think that the decrease in drunkenness has gone on during successive years, and I think that it will go on so; I do not see anything to the contrary, and I think that there would be no possible advantage in restricting the hours. I do not think that it would decrease drunkenness to restrict the hours.

7371. Can you inform the Committee what is the relative number of cases of drunkenness as between men and women?—I cannot; I have not taken that out.

7372. You think that the great evil arises from the beer-houses?—Yes, I think so.

7373. Cannot you suggest any remedy for that?—I think that placing the beer-houses under the control of the magistrates would be a very great remedy.

7374. Mr. *Knatchbull-Hugessen*.] You stated that there is a great deal of apathy; I suppose that the working classes of Wolverhampton are pretty fully employed?—They are not fully employed; trade is, unfortunately, very bad in that district.

7375. I suppose a large portion of them are absorbed in their every-day occupations, and probably would not feel that restriction an inconvenience in anticipation, which might be a very great inconvenience when it came actually to be put in practice; I think that, unfortunately, Wolverhampton is very apathetic in most cases, and latterly, in almost everything, they do not seem to take much interest in public affairs, I think.

7376. Mr. *John Abel Smith*.] Who called you here as a witness before the Committee?—I was asked, as I was known to be an independent man, whether, if summoned, I would attend.

7377. Who asked you?—The Chairman of Licensed Victuallers Friendly Society.

7378. You volunteered your evidence?—I beg your pardon, I did not volunteer; I would much sooner not have been asked.

7379. You do not know who called you?—I was summoned to attend here, that is all I know about it. I was asked whether, if I was summoned, I would give evidence here, and I said that I would.

7380. As chief constable of Wolverhampton, did you consult the magistrates as to the propriety of your coming and giving evidence here?—No, I did not consult the magistrates generally; I have spoken to several magistrates upon the subject

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subject as to their opinions about the Bill, but as to speaking to them generally, I did not, because I do not come to give the magistrates' opinion; I come simply to give my own.

7381. Did you speak by accident to Mr. Hartley?—I did not; Mr. Hartley rarely sits on the borough bench of Wolverhampton, therefore I did not see him.

7382. He is a gentleman of great influence in Wolverhampton, is he not?—He has some influence in the county, but he very rarely attends the borough bench, and therefore I did not see him to ask him upon this subject.

7383. Do you know the feeling of the magistrates of Wolverhampton with regard to this Bill?—I do not; I saw several of the magistrates, and, as far as I could gather of the opinions from them, there were several for the Bill, and as many against. One or two gentlemen who happened to be the owners of large manufactories in the town, and who are magistrates, were against the Bill; one in particular, who had lived a long time in America, and knows exactly how the Maine Liquor Law worked in that country, is decidedly against the Bill.

7384. How many magistrates attend generally?—About 12, I think.

7385. And how many do you think you have spoken to?—About six.

7386. You think they are half and half?—About that.

7387. I think I am right in supposing that you are a Roman Catholic?—I am.

7388. Have you read the evidence of the Archbishop of Westminster?—I have read portions of it.

7389. Do you know how strongly his feelings are antagonistic to yours?—That is very likely. I know that it is so.

7390. Is the Roman Catholic priest of Wolverhampton of the same opinion as yourself?—I do not know; I never consulted him upon the subject.

7391. How far are you, in Wolverhampton, from the Black Country?—We form a portion of the Black Country.

7392. Do you know any other part of England so wild as the Black Country, and so little amenable to law?—I do. There are many agricultural districts very much worse than the Black Country. I consider that the state of crime in the Black Country is extremely satisfactory; and it is considered to be the case also by other persons.

7393. But they are what you call a very rough body of men, are they not?—They are rough at times. On many occasions, and on a recent occasion when the Queen visited Wolverhampton, when there were perhaps 600,000 or 700,000 in the town, they proved themselves to be as amenable to order as any body of people in the United Kingdom.

7394. What makes you say that there were 600,000 or 700,000 in the town at that time?—That was the calculation that was made.

7395. Did they come from Birmingham in great numbers?—A great many.

7396. And you do not think that drunkenness prevails largely in the Black Country?—I think that it has decreased very considerably. In former years, before I became chief constable of Wolverhampton, I believe that drunkenness did prevail to a very great extent; but in the last four or five years I have remarked that drunkenness has very much decreased.

7397. Do you attribute any portion of that your own watchfulness and care?—No; I attribute it to the improved habits of the people.

7398. You probably have carefully observed the Black Country?—As far as the immediate neighbourhood of Wolverhampton is concerned, I have.

7399. Should you not say that the Black Country was a district in which further restriction on the habits of drinking and drunkenness would be eminently useful?—I speak merely the towns immediately in the vicinity of Wolverhampton, Bilston, and Willenhall. I do not speak of any other places, because I do not know them.

7400. You do not know the Black Country generally?—I know it very well; but as I am not about it on Sunday I cannot answer for the behaviour.

7401. Then you do not know the habits of the people?—I think they are very similar, but cannot speak from my own knowledge.

7402. But with regard to Wolverhampton, Bilston, and Willenhall, you know those places well?—I know those places well.

7403. At Bilston, do not you think that there might be better for a little more restriction of the drinking that goes on there?—I can or repeat my former answer, that I think that would encourage a very large amount of private drinking, which I think would be very much more objectionable than the present system.

7404. Could not the illicit drinking be stopped by the police?—The police in the different towns are not strong enough to stop it if they perform their legitimate duties.

7405. Do you mean that they can only stop after illicit drinking by the neglect of their other duties?—They would have to neglect other duties, I think.

7406. To go back to Bilston, do not you think that, as a rule, it is the common ordinary practice that a very large proportion of the wages of the men are drunk away on the Saturday and on the Sunday?—I think not now. I think that the men have become very much more provident and I judge from this, that some six or seven years ago I remember what is a very usual thing in Wolverhampton and that district, strikes occurring amongst the men of different factories and different works, and I remarked that after fortnight or three weeks on strike the men were starving. Now, with short work and a recent strike, because they have had a recent strike, although, certainly, it did not extend for an length of time, I find that the men are competent to keep themselves and to keep their families. I therefore, judge that they are very much more provident than they used to be.

7407. Do you know whether they did not receive assistance from other portions to enable them to continue the strike?—I believe that they had assistance to a very small extent. I know that they had for one week, and I know that the following week they did not receive it, because the unions were not able to pay it.

7408. And you do not believe that in the Black Country a considerable proportion of the weekly wages goes to the public-house on the Saturday and Sunday?—A portion, no doubt does go, but I do not think that a considerable portion goes.

7409. Would not the families of those men be very much better if that could be diminished?—Probably

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Probably they would be better off; no doubt they would be.

7410. Do you know any other district in England where the intervention of a further restrictive law would be generally considered so useful as in the Black Country?—I cannot say that I do know another district.

7411. Do you believe that there is any other?—No, I cannot say as to other districts whether it would or would not.

7412. I asked you the question first, whether you know any other part of England where increased restrictive laws would do more good than in the Black Country, and you tell me that you do not know any other part?—I do not.

7413. You have also told me that you believe that great benefit would result if the expenditure of the wages in the public-house on Saturday and Sunday were diminished?—No doubt it would be productive of benefit.

7414. Have you had any indication of resistance to the law; has there been any expression of public opinion in Wolverhampton which has induced you to come up here?—No, none.

7415. How is the chief constable elected in Wolverhampton?—He is elected by the watch committee.

7416. Who are the watch committee?—Certain members of the town council.

7417. Have the publicans a great deal of influence with the watch committee?—They have none at all; there is no publican on it.

7418. The publicans, I suppose, had nothing to do with your election at all?—Nothing in the world.

7419. Do they take much interest in those elections?—I think none at all. I was elected 11 years ago. I came to Wolverhampton a perfect stranger. I knew not a dozen people in the town, and I certainly did not know a publican.

7420. When you are elected is your position for life?—My election and my holding the position is at the option of the watch committee.

7421. Have the watch committee the power of dismissing you, or of controlling you, as they think fit?—They have the power of dismissal if anything occurs which warrants dismissal, of course.

7422. *Chairman.*] What were you before you were appointed chief constable?—I was a captain in the army.

7423. *Mr. John Abel Smith.*] I suppose all these things come before the council, and are ratified by the council?—There is a report made every year of every thing that is done by the police, every offence that is committed by publicans, or against publicans, or drunkenness, and every other case that comes before them every year.

7424. Have you had many offences of publicans against the law, or beer-shop keepers during last year?—There were, I think, 11 offences committed by publicans, and about 25 committed by beer-house keepers.

7425. Were there any licenses taken away?—No, I have been 11 years there, and there has been only one license taken away during that period.

7426. How many beer-shops, and public-houses have you in Wolverhampton?—There are 218 public-houses, and 273 beerhouses.

7427. Four hundred and ninety-one drinking houses for a population of 62,000?—Yes; I can

give the exact number of those that were fined. There were 11 publicans fined during the year 1867, and 17 beerhouse keepers.

7428. The number you have given would be a beer-house or public-house for every 136 of the population, would it not?—About that, I suppose.

7429. Is not that a very enormous number?—I consider that there are a great many too many beer-houses. Unfortunately, under the present beer-house system any person can take a beer-house, provided he can satisfy the landlord that he is competent to pay the rent, which I think is very objectionable.

7430. Must there not be a great deal of drinking in the town to supply the necessary profit to such a number?—I think that there is a great many of them that get no profit at all at present.

7431. What makes them go on then?—The wives keep the beer-houses, and the men work in the different factories; I am speaking especially as regards beer-houses. The men work in the different factories, and the different works in the neighbourhood.

7432. How many persons do you think are employed in each of those houses; would it be an exaggeration to say that there are three?—I should think that there would be three employed.

7433. Therefore, there are 1,500 people who are suffering from the present arrangement, who cannot have any holiday on the Sunday?—There are 1,500 people employed; I do not know whether they stop in the house or not on Sunday.

7434. You do not think that the inconvenience to them is worth consideration at all?—I do not know how to answer that question; it is a thing which I have never considered.

7435. I beg to recall your recollection to your main objection; as I understand you, your objection to this Bill was that it produced inconvenience to excursionists?—Not to excursionists. I think that it would produce inconvenience to the public at large. We have got no excursion traffic by railway in Wolverhampton at all on Sunday, but we have got 74 ordinary trains. The Sunday excursionists that I spoke of were persons who drive into the country; I am not speaking of excursionists by train, because we have no excursion traffic by train in Wolverhampton, but, as I say, we have 74 ordinary trains leaving and arriving at Wolverhampton on each Sunday.

7436. Do the people go by those trains?—Yes, a great many go by them.

7437. Then they practically are excursion trains?—They are run at ordinary fares, and so they are called ordinary trains.

7438. But they are trains by which persons are enabled to visit the district round?—Yes, and to visit their friends.

7439. Do a considerable number go?—I think a very large number go.

7440. Do the greater number drive?—A very large number drive into the country.

7441. *Mr. Roebuck.*] And some walk?—Yes, and some walk.

7442. *Mr. John Abel Smith.*] There cannot be a very large number that drive, can there?—Yes, a very large number. You would be astonished to see the number of vehicles of all descriptions that go into the country on Sunday.

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7443. Does

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7443. Does not that imply a very considerable amount of ease on the part of those people as regards means?—I do not know that it does that altogether; because there is a certain class of men in different factories, and if one man has a vehicle and a horse, he will lend it to those who work in the same factory to take them into the country.

7444. Do you think there are people working as weekly labourers or weekly workmen who have what you call traps?—No; I think that the weekly labourers amuse themselves by walking into the country.

7445. Then who are they who have these vehicles?—The better class of people connected with the different factories and the different iron works.

7446. What do you mean by the better class of people?—The better class of workmen.

7447. You mean practical workmen, weekly workmen?—The artisans in the different factories and in the different iron works. It is not an unusual thing for them, when trade is good, to get 3 *l.* and 4 *l.* a-week. I do not say that they get it now.

7448. And they keep traps?—A great many of them keep traps.

7449. Those people are, as far as drink goes, economical probably?—I think they are. I think that there is very little drunkenness among them.

7450. Do you think that drunkenness is in proportion to high wages or low wages?—I think that the amount of wages has a great effect upon drunkenness.

7451. Do you think that high wages produce drunkenness?—They produce more drunkenness than when trade is bad, certainly.

7452. Has there been a great increase in the poor-rates at Wolverhampton lately?—There was an increase last year owing to special causes.

7453. Was it the want of work?—No; it was the Queen's visit.

7454. Will you explain how the Queen's visit increased the rates?—There was a certain vote made for the Mayor, which was obliged to come in a certain way from the rates.

7455. But that had nothing to do with the ordinary habits of the town?—No, I think not; because the poor rate, I believe, this year is about the same now as it was two years ago.

7456. Do those people who get 3 *l.* or 4 *l.* a-week ever apply to the poor-rate?—I cannot say that they do. I do not know whether they do or do not.

7457. Have you ever had the curiosity to try and find out how many people in Wolverhampton go into the public-houses on the Sunday?—I have not.

7458. Did you ever go yourself into many public-houses on a Sunday?—I have been.

7459. What class of people did you find there?—A very respectable class; I have found a large number of people who work in the different shops, who are employed in shops and who live on the premises of the shopkeepers. They meet their friends on Sunday and have no place to ask them to have any refreshment, and they go into a public-house for the purpose.

7460. Of course you know and I do not, but do you mean to tell me that there are any large number of workmen living on the premises?—Not workmen, I am speaking of shopmen in different shops.

7461. And do those men go to public-houses?—They go to public-houses on Sunday because

they cannot ask their friends into their masters house; their masters do not allow it.

7462. With regard to young women and young men, is there a large proportion of them who go to the public-house on Sunday?—Not on the Sunday, because the majority of what are called the large liquor vaults in Wolverhampton close on Sunday; we have several which are closed entirely on Sunday.

7463. Out of the 500 how many close on Sunday?—Seventeen public-houses and eight beerhouses close on Sunday out of the 500.

7464. That is 25 out of 500?—Yes.

7465. Do you know why they close?—I do not, except that they do not care to do business on Sunday. They are not inns; they are what are called liquor vaults; they probably consider that they would not be much frequented certainly on Sunday, and they close accordingly.

7466. But what makes you think that those liquor vaults would not be attended on Sunday?—I do not think that they are a class of houses which would be attended on Sunday, and in addition to that I think that the majority of the people who keep those large liquor vaults are situated in the centre of the town, and I do not think that they wish to do business on Sunday.

7467. Do you know why?—I do not; I never asked them that question, but I know that they close on Sunday.

7468. Have they any music on Sunday evenings in the public-houses at Wolverhampton?—No.

7469. Is there any local Act which forbids it?—No.

7470. Then they might, if they choose, have music on Sundays?—There is nothing to prevent it that I know of.

7471. Mr. Roebuck.] Is there not this to prevent it, that the magistrates could refuse the license?—Those houses are all licensed, and the question is whether the magistrates would be justified in taking it away.

7472. The next time they came for a license if they had music in their houses, would not it be the manner of the Wolverhampton magistrates to refuse the license because they had music?—I question whether the magistrates would have that power; it would be a subject of appeal. I think the magistrates would caution them against it, but it has never been the practice in Wolverhampton to have music; I have never seen an instance of the kind occur.

7473. Mr. John Abel Smith.] Can you form any estimate at all of the number who attend those houses on Sunday evening?—I cannot.

7474. What I gather from you is that in Wolverhampton the larger number of attendants at public-houses and beershops are of the more respectable class?—I think that on Sunday evenings the larger proportion of attendants at public-houses are of the respectable class.

7475. Where do you think the workmen go?—The workmen may go also, but I say the larger number.

7476. But there are a larger number of workmen, surely, than there would be of any other class?—Yes, I dare say probably there would be an equal division of both classes; but you do see on Sunday evenings a large number of respectable people at the public-houses.

7477. Are the employers of labour in Wolverhampton the cause of this singular state of morality

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morality and sobriety at Wolverhampton?—I think they are.

7478. Have they taken a great deal of pains with their men?—I cannot say that.

7479. How are they the cause of it?—Because the reports each year which are written or published, and which they can see if they choose to read them, and a great number of employers of labour do take the trouble of reading, and they see that drunkenness has very much increased.

7480. Again I ask you whether you think that owing to anything done by the employers of labour?—I cannot say that it is.

7481. Do you think that the same remark could extend to the Black Country generally?—Of course I cannot speak from my own knowledge.

I can only say that I have had a good deal of communication with the chief constable at Birmingham, and it struck me that the same thing extended to Birmingham.

7482. Have you looked at any of the evidence given before this Committee?—I have.

7483. Have you seen the evidence of the Mayor of Birmingham?—Yes, I saw the evidence of the Mayor of Birmingham.

7484. What have you to say to that?—I have nothing to say to it.

7485. Do you consider that he is wrong or right?—I do not consider anything at all; I have no opinion to give on his evidence, of course.

7486. He gives a very strong opinion, does he not, as to the public feeling in Birmingham?—No doubt.

7487. But you do not think that that feeling extends to Wolverhampton?—I certainly think that the Mayor of Wolverhampton has not got that opinion.

7488. Who is the Mayor of Wolverhampton?—Mr. Langman.

7489. What is he?—He is a pawnbroker.

7490. Mr. Baines.] You say that of those who drink you think the females are nearly as bad as the males?—Yes, I do.

7491. Do they drink in public-houses or in beer-houses?—I speak of Saturday night more especially. I think that they drink both in public-houses and beer-houses; in fact, I consider, that the custom of the beer-houses, in many cases, is as great, if not greater, than the custom of the public-houses.

7492. Are you of opinion that it would be a benefit to close beer-houses on Sunday?—I should like to see, by a general Act of Parliament, the beer-houses placed under the control of the magistrates exclusively, as I think that would do away with the very large number that at present exists, and I consider it would be a very great advantage to the public if they were done away with.

7493. Did you say that there were 273 beer-houses in Wolverhampton?—Yes, 273 beer-houses, altogether.

7494. And you say that of public-houses and beer-houses together there are 491, with a population of 68,000. Mr. Abel Smith has drawn your attention to the fact, that there is one public-house or beer-house to every 136 inhabitants; of course that is men, women, and children, and if you take about five persons to a family, that would be about one public-house or beer-house to every 27 families in Wolverhampton, would not that be so?—Yes.

7495. You would consider that a very excessive number, would you not?—I consider that it is a

very excessive number of beer-houses; I think that there are a great deal too many beer-houses.

7496. Are there any persons who drink in the public-houses and beer-houses in Wolverhampton who neglect their families?—There are many who appear constantly before the magistrates who are what are called habitual drunkards.

7497. You have said that you think that they would have more shame in drinking in a beer-house than they would in their own houses; do you think that they would be drinking beer in their own houses when their families were neglected and wanting food?—I do think so, if they could get it.

7498. You think that they would, in the presence of their wives and children, who were wanting food, be drinking beer in their own houses?—I do not know about wanting food, but I certainly think that they would drink in their own houses in the presence of their wives and children, if they had an opportunity of so doing.

7499. But I ask whether, with regard to those families who are now neglected, and who are, therefore, wanting food, the fact that they were, in the presence of the husband and father, wanting food, would not be a very important restraint upon him in his vicious propensities?—I cannot bring myself to believe that they would drink in public-houses when their wives and children are wanting food.

7500. I thought you said that there was a considerable number who neglected their families for the sake of drinking?—They are habitual drunkards who will get drunk, if they possibly can, and if they cannot get it by going to a beer-house or a public-house, they will get in their private houses, irrespective of their families.

7501. Do you think that the circumstances of the temptation, and the association with others of the same kidney with themselves, would have no influence at all in inducing them to drink more, and that the presence of their starving wives and children would have no influence in inducing them to drink less?—It might, if they were to drink by themselves; but, unfortunately, if they were to drink in their own houses, they would find plenty to join with them for the purposes of drinking.

7502. What is the opinion, as far as you know, of those who have most to do with young people and try to do them good; of Sunday school teachers, for instance?—I cannot say.

7503. Have you ever heard any opinion from them?—I have never asked and I have never heard.

7504. You say that there were petitions from Wolverhampton in favour of this Bill; do you know from whom they came?—No; I have heard that there were petitions.

7505. You do not know whether the ministers of religion have promoted them?—I cannot say.

7506. Or whether they are signed by Sunday school teachers?—I cannot say; I have heard that there were petitions both for and against, but who they were signed by I cannot say.

7507. Mr. Frederick Stanley.] You were asked just now whether you knew any district where restriction generally would be more beneficial than it would be in the Black Country, and you answered that you did not; how do you reconcile that with your former answer, that you considered the district fairly well conducted compared with

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others?—I cannot speak for other districts of my own knowledge; all I can speak of them is from hearsay.

7508. You were never in any other district before as chief constable, were you?—Not in an official capacity.

7509. Therefore, you answered the question merely as it was asked you, and not as giving in anywise an opinion attributable to yourself?—I could not give any opinion upon that.

7510. Mr. John Abel Smith.] Are you sure about the number which you have given of public-houses?—Yes, from the report which I have.

7511. Because, from the numbers which you leave for each public-house, one does not understand how they can live at all, or how you could have seen any large number on a Sunday in them?—The numbers are correct, I am certain; 218 and 273.

7512. And there are 25 shut on Sunday?—Yes; 17 public-houses and 8 beer-houses.

7513. That leaves something like 475 still open on Sunday?—Yes.

7514. That does not give above 140 persons to each public-house, men, women and children; does not that imply, instead of a state of sobriety at Wolverhampton, a singular amount of consumption?—It does not necessarily follow that there should be consumption, if the public-house or beer-house is open; because, in many cases, probably they open because other public-houses and beer houses in the same street open also.

7515. But they must live?—Yes; but in many cases, more especially with beer-houses, where the husband, the master of the house, works, and does his daily labour in the different factories, or in the ironworks around, his wife keeps the beer-house.

7516. Could you tell us whether or not of late years the number of public-houses and beer-shops have increased or diminished?—I can give you the number from 1863 up to the present date. In 1863 there were 215 public-houses and 225 beer-houses; in 1864 there were 214 public-houses and 210 beer-houses; in 1865 there were 215 public-houses and 224 beer-houses; in 1866 there were 219 public-houses and 249 beer-houses; and in 1867 there were 218 public-houses and 273 beer-houses.

7517. Then, the beer-houses have steadily increased?—Yes.

7518. Does that look as if it was a bad trade?—I do not think it is a proof that it is a good trade.

7519. Then, they go there for the pleasure of keeping a beer-shop?—No; a great many people take a beer-house, and they will take it with the idea and with the hope that it may possibly answer their purpose so to do, and that they may make money by it; and they will stop there, perhaps, three months, and they will leave it, in nine cases out of ten, in debt to everybody around them. Then another person comes and takes the beer-house; and consequently a beer-house may change its occupants, perhaps, four or five times in the course of a year.

7520. Still, in spite of all this, the number of beer-houses steadily increases in Wolverhampton?—Yes, the number has increased.

7521. In spite of the sober habits of the population?—Yes, the number has increased, certainly.

7522. Chairman.] I suppose that a good many people use public-houses and beer-houses in the

town who do not live in the town?—Yes, a great many of them do, I believe.

7523. So that it is not only the 68,000 persons who keep all those houses?—Of course the population on one day is very much more than another.

7524. Mr. John Abel Smith.] Do the Black Country people come in there much?—There are two market days in the week, and there is a very large concourse of people coming in from the Black Country round.

7525. Mr. Roebuck.] Did you ever have any means of taking a census of the town on those market days, as to how many people come in from the country?—It would be a very difficult thing to do, because so many people come in by the roads all round the country. We could tell those that come by rail, but by the roads from different parts of Shropshire and different parts of Staffordshire so many come in that it would be a very difficult thing to do.

7526. I suppose you know they make estimates of the number of people who pass Temple Bar on a day, and they make estimates of the number of people going into the City of London on a day; has there ever been any attempt to make an estimate of the number of people coming into Wolverhampton from the country on any day?—No, there has not.

7527. Mr. Horsfall.] How many miles round Wolverhampton does what is usually called the Black Country extend?—The Black Country extends from Wolverhampton to Birmingham, 13 miles.

7528. All on one side?—Yes; the agricultural district is entirely on the other side of Wolverhampton, and Wolverhampton stands between them.

7529. Mr. Knatchbull-Hugessen.] You were asked whether your police would not be able to stop any increase of illicit drinking which you imagine would take place if this Bill were passed; would not your police duties be enormously increased according to your idea?—According to the present calculation, we have got one police officer to every 900 of the population; and, taking as an average, that half of those police officers are on night duty, and consequently off duty in the day time, that would give at least 2,000 of the population to every police officer, and unless the number were at least trebled it would be impossible to do the duty.

7530. Do not you think that they would be obliged to adopt a system of espionage, which would make them very unpopular?—No doubt of it.

7531. Do the magistrates of Wolverhampton claim the right of giving or withholding their sanction to a witness obeying the summons of the House of Commons, and coming to give evidence before a Committee?—No, I have never heard of such a case.

7532. Then you would not think it necessary to consult the whole of the 12 magistrates of Wolverhampton before complying with a summons of this House?—No, certainly not.

7533. You have been asked, as other witnesses have, with regard to the number of offences committed by drunkards. I suppose you have no record of the crimes committed by total abstinents?—No.

7534. Mr. Roebuck.] Are total abstinents often brought up in your country?—I cannot answer that question.

7535. Mr.

7535. Mr. *Knatchbull-Hugessen*.] Is there any foundation whatever for the suspicion which seems to be implied in one of the questions addressed to you, that the publicans had some influence in your appointment as chief constable, might have some influence upon your tenure of office?—I do not think there is the slightest.

7536. Mr. *John Abel Smith*.] Will you explain what you mean exactly by illicit drinking?—Illicit drinking I conceive to be drinking in their own houses; getting drink from public-houses, probably, or beer-houses and taking it to their own houses and drinking it there.

7537. Why is that illicit?—It is illicit to a certain extent; they encourage the publican or the beer-house keeper to sell them drink at hours and at times when they are not allowed.

7538. Then it is not merely drinking in their own houses, but drinking at forbidden hours?—At forbidden hours, getting drink from the publican.

7539. You do not consider it illicit, do you, that they should drink in their own houses whenever they think fit to do so?—Certainly not, if they have got it.

7540. But they get drink, you think, from the public-houses at hours when they ought to be shut up?—I do, and I think that they would do it more than at present.

7541. Do you not think that that could be stopped?—I think it is stopped in a great measure by the simple fact of the public-houses being open for a certain time for them to take their drink there.

7542. You think that the absence of restriction is more favourable to the morality and good conduct of those men than further restriction would be?—I think we should have very much more offences in the street provided there was more restriction.

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Mr. JOHN WYBERGH, called in; and Examined.

7543. *Chairman*.] WHAT is your profession?—I am an Attorney-at-Law at Liverpool, and hold the appointment, under the Municipal Act, of clerk to the justices of that borough.

7544. You offered to give evidence to this Committee, did you not?—I did.

7545. Have you paid much attention to the subject before the Committee?—Very considerable attention; that is to say, to the laws which regulate the sale of drink in public-houses, and the licensing system generally.

7546. Have you observed carefully the provisions of the Bill which has been referred to this Committee?—I know their general tenor; I have not read them with very great accuracy so as to give a legal opinion upon them, but I know their general tenor is to shorten very considerably the hours of sale on Sundays.

7547. The object of the Bill is to shorten to four hours in the country and three and a-half in London the hours during which liquor may be sold for consumption on the premises?—Precisely so.

7548. Will you tell the Committee your opinion of the Bill as a matter of expediency?—My opinion is that such a measure as this now under the consideration of the Committee would entail considerable inconvenience upon the public, if passed into a law.

7549. And without a corresponding result of good?—Without a corresponding result of good. I have no faith whatever in restrictive laws on this subject.

7550. Do you mean, that by restrictive laws you cannot reduce the amount of crime arising out of drunkenness?—Precisely so. I mean to say that I have no faith in restrictive laws as remedies for drunkenness.

7551. Do you not consider that the present restrictions placed upon the sale of liquor do diminish the amount of drunkenness which would otherwise be the case?—I do not.

7552. Do you not think, for instance, that the closing of public-houses until one o'clock in the day on Sundays and after 11 at night, causes smaller amount of drunkenness than might be expected if they continued open for a longer period?—I very much doubt it; at least I do not think that it makes any very appreciable difference.

7553. In Liverpool it is the law as in Manchester, is it not, that the public-houses are closed at one o'clock in the night every day of the week except Sunday?—Yes, by adopting the Public-houses Closing Act they are closed from one till four.

7554. Does not that reduce the amount of drunkenness at night?—I do not think that the adoption of the Public-house Closing Act has had any effect in that point of view in Liverpool, because before that Act came into operation the public-houses were generally shut at 12; but when that Act came into operation it legalised their being open until one, so that really its effect was rather to extend the hours than to shorten them in Liverpool.

7555. Do you mean that there were not a number of night-houses kept open, and in many cases drunkenness and disorder took place?—I am speaking especially with regard to licensed houses.

7556. Houses kept open at night for the sale of liquor, you mean?—I do not think it has made any difference in that respect at all.

7557. It is your opinion, then, that no good has been done by placing the present restrictions upon the sale of liquor?—No very great good, certainly.

7558. That is quite contrary to the opinion of every witness whom we have had examined. Everybody, as yet, has admitted that the present restrictions have worked well?—That may be so; I do not say that they work ill, because I think that the people submit to them; there is a minimum amount of inconvenience about the present laws, and I certainly should not disturb them.

7559. Mr. *John Abel Smith*.] What do you mean by minimum of inconvenience?—I mean by a minimum of inconvenience that the public are put to as little inconvenience as possible under the present law.

7560. *Chairman*.] You mean that it does not cause much inconvenience?—Yes, that it does not cause much inconvenience; but that it does cause inconvenience I maintain.

7561. Do not you think that there would be a good deal more drinking and drunkenness if the public-houses were kept open the whole of the 24 hours?—I doubt that very much.

7562. Because you think that the present hours

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are long enough for all people to get drunk who wish to get drunk?—I think so quite. I would rather qualify that answer by saying, that I do not think that drunkenness would be increased materially.

7563. Mr. *Horsfall*.] You told the Committee that you had no faith in restrictive laws, and therefore that you have no objection to the public-houses being kept open the whole of the 24 hours on Sundays, and week days also?—I did not say that. I was asked whether if they were so kept open, as they are in other countries, it would very much increase drunkenness. I said I did not think it would, and for this reason, that I think the drunkards in every community are a sort of fixed quantity, and if the public-houses are partially closed, they will find the means of getting drunk when they are open, or they will find some other way of getting drunk.

7564. I presume in that opinion you are only giving your own opinion?—Certainly.

7565. And not the opinion of the magistrates?—Certainly not; it is my own individual opinion.

7566. And not the opinion of the inhabitants of Liverpool generally?—Possibly not.

7567. Perhaps more than possibly not?—Very likely not.

7568. You have been a very strong advocate, have you not, for free trade in drink as it is termed?—Yes, I have.

7569. That is a question which has been very much considered, and very much discussed in Liverpool, is it not?—Yes, very much indeed.

7570. And the magistrates at one time, I think, adopted, to a certain extent, your views?—They did for some three or four years.

7571. And since that they have altered the system?—Since that they have altered the system. They have restricted it to a certain extent; that is to say, they have gone back to the old system.

7572. Have you had any opportunity of forming an opinion as to the extent of drinking in the beer-houses in Liverpool, as compared with the public-houses?—I have got a return of the number of offences, and the proportion of offences, committed by beer-houses and public-houses for the last two years, which I will lay before the Committee if they think it important. In 1866 there were 73 publicans fined for Sunday trading, or selling at illegal hours on Sundays, and there were 25 fined for permitting drunkenness on their premises. There were, in the same year, 670 beer-sellers fined for Sunday trading, and there were 34 fined for permitting drunkenness on their premises. In 1867 there were 45 publicans fined for Sunday trading, and nine for permitting drunkenness on their premises. In the same year there were 384 beer-sellers fined for Sunday trading, and eight for permitting drunkenness on their premises. I can also produce a return of the number of public-houses and beer-houses in Liverpool licensed from the year 1858 to the year 1867. In the year 1858 there were 978 beer-sellers licensed to sell on the premises, and eight to sell off the premises; and in that year there were 1,499 licensed public-houses. In 1859 there were 969 beer-sellers licensed to sell on the premises, and eight licensed to sell off the premises, and 1,500 publicans. In 1860 there were 1,056 beer-sellers licensed to sell on the premises, and six to sell off, and 1,528 publicans. In 1861 there were 1,007 beer-sellers licensed to sell on the premises, and 14 licensed to sell off, and 1,543

publicans. In 1862 there were 919 beer-house licensed to sell on the premises, and 12 to sell off, and 1,643 publicans. In 1863 there were 1,10 beer-sellers licensed to sell on the premises, and eight licensed to sell off, and 1,636 publicans. In 1864 there were 1,050 beer-sellers licensed to sell on the premises, and 12 to sell off, and 1,775 publicans. In 1865 there were 974 beer-seller licensed to sell on the premises, and 14 licensed to sell off, and 1,874 publicans. In 1866 there were 953 beer-sellers licensed to sell on the premises, and 10 licensed to sell off the premises, and 1,900 licensed publicans. In 1867 there were 897 beer-houses licensed to sell on the premises, and 11 licensed to sell off, and 1896 publicans. If the Committee will contrast the number of beer-houses in 1858 with last year, 1867, they will find a reduction in the number of beer-houses though there is an increase of some 300 or 400 in the licensed public-houses; but the inference from that is, that as you increase the licensed public-houses, which are conducted with much greater order than the beer-houses, you diminish what is omitted to be a greater evil, the number of beer-houses.

7573. Are you aware of the number of licensed public-houses in Manchester?—No, I do not know the number, but I know that the number of licensed public-houses in Manchester is very much less than those in Liverpool, and I also know that the number of beer-houses is very much more numerous than in Liverpool.

7574. The licenses in Manchester are about half the number that they are in Liverpool, are they not?—I dare say they are, but I cannot speak precisely to the exact number; I know that it is considerably less.

7575. The cases of drunkenness that are brought before the magistrates in Liverpool, I believe are nearly double the cases of drunkenness brought before the magistrates in Manchester, are they not?—I do not know the number of drunken cases brought before the magistrates in Manchester, but I dare say, looking at the different conditions of the population of the two places, they are much more numerous.

7576. What is the difference in the conditions of the population?—There is a large floating population in Liverpool which there is not in Manchester; I am speaking of the difference in the character of the populations.

7577. You are aware, of course, that a very extensive canvass of householders took place in Liverpool with regard to the charge of public-houses on Sunday?—I have heard so.

7578. Are you not aware of it?—I heard it stated so, but I am not aware of it in any other way; nobody canvassed me; I heard of it.

7579. Do you reside in Liverpool?—I do not at present; I resided there about three or four years ago.

7580. I presume that you were not there when the canvass was made?—Probably I was not.

7581. Have you not seen and read the account of the canvass which was published in the papers?—Yes; I have read an account of the canvass having been made, but I do not know what proportions of householders signed it at all, except, I believe, there was said to be a very considerable number of persons who signed.

7582. Have you not written in the newspapers in opposition to the views propounded by those gentlemen who have canvassed the town in favour of

closing public-houses?—I have written in the newspapers in opposition to persons who are in your of restrictive legislation on this subject.

7583. But specifically in opposition to the views of those gentlemen who canvassed the town with the view of closing the public-houses on Sunday?—No; I do not remember ever having written anything with regard to the canvass particularly.

7584. But have you not written with regard to the principle of the canvass?—As I say, I have often written with regard to the principle of free trade as opposed to restriction.

7585. Having committed yourself to those views, of course you are anxious to maintain them?—Certainly I am, irrespective of whether have committed myself or not.

7586. Are you aware that a very large number of publicans in Liverpool, amounting to 700 or 800, are in favour of entire closing on Sunday?—I have heard that a great number of publicans have signed a memorial, or whatever it was, in favour of closing; I know nothing of my own knowledge about it.

7587. Have you seen any return of the number of persons employed in public-houses on Sunday?—No, I have not.

7588. Mr. Yorke.] I understand you to be an opponent to this Bill principally on theory?—Yes. I think that legislation of this kind is founded on a false principle.

7589. How were you led to become an opponent of the principle; was it from observing its results in practice, or merely from *a priori* opinion?—I may say that I have been led to it from the observation, not merely of what has taken place where I reside, but from reading and reflection, and from what I have seen in other countries; for instance, where the facilities for getting drunk most abound, as Honourable Members well know, in the wine-growing countries in Europe, where the populations are precisely the most sober, and from that I argue that sobriety does not at all depend upon the facilities for getting drunk.

7590. Do you think the analogy to be complete between the conditions of those wine-growing countries and those in that part of England which you know best; do you think that the circumstances are the same, and that the conditions of the two populations only differ in respect of restriction in the one case, and free trade in the other?—It seems to me that the only difference is with regard to the habits. There is certainly a difference of climate, but I very much doubt whether that has so much influence as to account for the great difference between the sober habits of the one, and the drunken habits of the other.

7591. I understand you to go almost as far as to say that restriction is actually the cause of drunkenness, for you say that where restriction does not exist there is very little drunkenness, and where restriction does exist there you find drunkenness abounds; am I to understand that to be your theory?—I do not go so far as to say that restriction actually causes drunkenness; all I mean to say is, that I do not think that restriction is any remedy for drunkenness. I think that as long as you have merely restriction partially applied, everybody who wishes to get drunk will get drunk. I can easily imagine that if you wanted to put down drunkenness, if that is to be the object of this measure, there should be a

total prohibition; that is to say, prevent people from getting access to drink, make it impossible that they can drink, and then you will have sobriety if you think it worth while to incur the great inconvenience that would arise.

7592. Mr. Roebuck.] But is that possible?—No, certainly not; I do not think it is; it is only a question of inconvenience after all.

7593. Mr. Yorke.] Is it your opinion that under the existing restrictive laws, drunkenness is increasing or the contrary in Liverpool?—I think it is diminishing; and that is another reason which perhaps I might have urged for the opinion which I have formed, that drunkenness does not necessarily depend upon the number of public-houses, because, though the public-houses were largely increased during three or four years owing to a suggestion which I made to the Bench with regard to the mode of granting licenses, those public-houses being still in operation and doing business, or at all events, the great majority of them, yet, still we find this last year or two that drunkenness is diminishing. If the converse of the proposition were true, it appears to me that the cause continuing to operate the effect would remain precisely the same, or rather still stronger, and that drunkenness, so far from being on the decline, ought to be increasing.

7594. Do you not think that the existence of a large number of public-houses in proportion to the population, constitutes a temptation to drinking, or do you believe that it does not tend to increase the amount of drinking?—One can only form a conjecture as to temptation; I dare say it may be a temptation to some people.

7595. Do you believe that the fact of those houses being open on Sunday operates as a temptation to people, or not?—No; no doubt if there are facilities for getting drunk, and people are inclined to get drunk, they can do so with greater ease, that is all.

7596. But do you believe that the question of public-houses being open, or not, on the Sunday, makes any material difference in the degree of the temptation which people have to drink, and consequently in the amount of drunkenness which results?—I think very little.

7597. You think that they would drink in private?—I think so, certainly.

7598. Mr. Evans.] You were speaking of the state of things in foreign countries, were you not, when you spoke about restriction not producing much effect; are you much acquainted with the state of things in foreign countries?—I have been a good deal on the continent, I speak more particularly of France.

7599. Am I to infer that you have observed that in France where very little restriction, if any, exists, that the people are more sober than they are here?—Yes, certainly.

7600. I suppose you would hardly go to the length of saying that restriction actually causes drunkenness; but what I suppose you would mean to say is this, that sobriety or the reverse does not depend much upon the existence of restriction, or not; but that in your judgment it depends upon other causes?—Precisely.

7601. Therefore, holding that view, you would believe that the diminution of intemperance which you say as taken place in Liverpool is caused not by additional restriction, but is caused by other reasons?—It is caused by other influences; perhaps it might not be very easy to analyse the causes of the diminution of drunken-

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ness on the Sunday, but they appear to me to result in the first place from improved education. There is a large free library, which has been in operation in Liverpool for some years. I should think that that was an element in the improvement, and there is improved sanitary legislation in Liverpool, and an improvement of the dwelling-houses of the working classes; I think that is also another element; and then there is probably an increasing taste for excursions on the river and elsewhere, and for amusements of a more innocent character.

7602. Then, in fact, regarding drunkenness, supposing it is to be considered as an enjoyment or amusement, you consider that those other enjoyments and amusements compete with it?—I do.

7603. I understood you to say several times that in your judgment there were a certain class of men who liked to get drunk, and that they would do so whatever restrictions were put upon them, short of absolute prohibition?—That is my opinion.

7604. Do you mean to say that you think that every man who gets drunk in a public-house, or the majority of men who get drunk in a public-house, or in a beershop, go there with that intention?—No, certainly not; I think that the drunkards are in a very considerable minority; I have heard what appeared to me to be exaggerated statements about the amount of drunkenness which goes on in public-houses and beer-houses, but I certainly do not believe it to exist to the extent which I have heard it stated before this Committee. I believe that although there may be a good deal of drinking in public-houses and beerhouses, yet the greater portion of the persons who drink there do not get drunk.

7605. I do not think you quite understand my question; are you of opinion that nearly every man who goes to a public-house or a beer-house, and, as it turns out, gets drunk there, goes with the intention of getting drunk there?—That I cannot say.

7606. Do not you think that many men who go to a public-house or to a beer-house, without any intention whatever of getting drunk, as a matter of course take more than they ought?—No doubt of it.

7607. Then, so far as that is concerned, the beer-house or the public-house would be a temptation?—It might, just as property is a temptation to people to steal.

7608. Mr. *Horsfall*.] In the comparison which you drew just now between France and this country, do not you think that the difference in the beverage which they drink in France has something to do with the extent of drunkenness, in the one case it being the common light wines of the country, and in this country it being spirits or beer?—I dare say that has something to do with it; but I took the trouble some years ago, when I was in Paris, to make some inquiries upon that subject, and I found, through a gentleman connected with the police department, that the persons who get drunk in Paris are very few, but those who did get drunk in Paris, got drunk upon brandy.

7609. Those were the exceptions, but the general drink of the country, we know, is light wines, of which a man can only take a certain quantity, and therefore the inference is, that they do not act upon him in the way that spirits may act upon the people in this country?—

Exactly; and the thing is to increase the taste for light wines among the people of this country.

7610. Mr. *John Abel Smith*.] You are understood, are you not, to be an advocate for the entire absence of all restriction upon the opening of public-houses and beer-shops?—Of all legislation upon the subject; I think if you have a trade which is legalised, such as the publican trade or the beer-house keepers' trade, then ought to be as few restrictions upon it as of any other trade, except so far as proper police regulations go, to restrain excesses.

7611. And you come here with the very legitimate and proper object of making your opinion known?—Yes, I do wish to make my opinion known, as I have always maintained those opinions, almost ever since I had anything to do with the licensing department in Liverpool.

7612. Will you tell me when the free trade licenses in Liverpool began?—I think in 1862.

7613. And it practically finished in 1866, did it not?—I do not exactly understand what I meant by being practically finished; all the public-houses which were called into existence by free trade are in existence still; therefore, it is not practically finished.

7614. Did not the magistrates, in 1866, refuse to grant any more licenses?—No, certainly not; they refused to grant licenses upon what I may be allowed to call my principle; that is, a fixed principle instead of an arbitrary one, and that has been within the last two years, 1866 and 1867.

7615. Was there not a great amount of public attention called to the meeting of the magistrates on the licensing day, in 1866?—There was.

7616. Was not there considerable discussion upon the subject?—Yes.

7617. Was not the discussion unfavourable to granting more licenses?—Yes; there was a majority not against granting more licenses, but against granting licenses upon the principle which had been in operation for the three or four years before.

7618. And that has been practically the rule of the Bench since?—Yes, for the last two years it has.

7619. From 1862 to 1866, every man who had a decent character and who applied for a license got it, did he not?—Every man who, in the judgment of the Bench, was a fit person to hold a license, and whose house was fit for the purpose, got a license.

7620. Upon this principle, was it not, that it was the duty of the magistrates to carry out the law fairly as between man and man, rather than express any opinion as to the spirit and working of the law?—Yes; and the principle of doing equal justice to every applicant for a license.

7621. As between man and man, judging without any reference to the working or operation of the law afterwards?—No, not at all. I consider that those magistrates who voted for granting licenses in the free way which I have described, or many of them, at all events, were of the same opinion as myself, namely, that it did not tend to increase drunkenness.

7622. Might I ask you, as it is a very important question, to state exactly and definitely what you believe to have been the principle of granting licenses in Liverpool up to 1866?—The principle upon which the magistrates granted licenses from 1862, I think it was down to 1866 or 1865, was simply this, that every applicant who satisfied them

em that he was a person of good character, and at his house was a house of a certain capacity and respectability, got a license; and every person who could not satisfy them upon those two points was refused a license.

7623. Mr. *Roebuck*.] Then, as I understand it, they did not take into consideration the wants of the neighbourhood?—Precisely.

7624. They did not take into consideration the effect of the number of beer-houses, but all they considered was the character of the man and the character of the house?—Yes, precisely so. It was considered that it was impossible in a large place like Liverpool to take into consideration the wants of the neighbourhood. It was supposed to be utterly impracticable to do that, so as to do justice, and to grant a sufficient number of licenses exactly where they were wanted, and to refuse them where they were not wanted.

7625. As I understand, the principle of the magistrates was this, that they would leave the man himself, as they did in other cases of trade, to decide whether it was advantageous for him to establish his house, without regard to whether it was disadvantageous or not to the public at large, but there should be any quantity of public-houses in the neighbourhood?—Precisely; they thought it was his business. That as he was asking to be admitted into a certain trade, it was for him to take the responsibility whether that trade was likely to succeed or not; they considered that they had nothing to do with that question.

7626. Mr. *John Abel Smith*.] A man might have two houses joining together?—Yes.

7627. Mr. *Horsfall*.] The effect of the alteration was this as given by Major Greig, and I apprehend it is a correct statement, that in the year 1864 I think there were 147 new licenses granted; in 1865, 126 new licenses; and in 1866, when the system was altered, there were only 12 licenses?—I have no doubt that is perfectly accurate. I was not quite sure whether it was 1861 or 1862 that the free trade system commenced.

7628. Mr. *John Abel Smith*.] I understand that, in 1866, there was a very large memorial presented to the justices of Liverpool; did you see that memorial?—I do not know whether it was in that year, but I remember that, for the first several years, there have been memorials presented to the justices at the opening of their sessions against granting any more licenses, particularly by the teetotallers.

7629. Mr. *Horsfall*.] And others than teetotallers?—They were by avowed teetotallers, and, I dare say, there might have been others.

7630. Mr. *John Abel Smith*.] Was not that petition or memorial in 1866 signed by 31,227 people?—That I cannot say.

7631. But did it not attract your attention?—No; I do not think that the petition was received by the magistrates; I think they held it to be illegal.

7632. What was illegal?—To petition the Bench to, in short, abdicate their functions, and grant no license. They were there for the purpose, convened by law, as a sessions, for granting licenses, and they did not think that they could receive a petition asking them not to do that which the law bound them, at all events, to take into consideration.

7633. And, therefore, they did not receive the petition at all, although they might not act upon it?—I think they did not receive it; that is my impression.

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7634. I think I understood you to say that you are clerk to the magistrates?—I am.

7635. Do you not know whether they received it or not?—They certainly did not act upon it; they might, in courtesy, have received it, and order it to lie upon the table, but they did not act upon it, and they intimated their opinion that they could not listen to any memorials or petitions couched in that form to grant no licenses whatever.

7636. But still, the number of licenses granted were reduced from upwards of 200 to 22?—Yes; that was the year before last.

7637. Though they did not receive the petition, as you think, they still acted on the spirit of it?—That was owing to peculiar circumstances, which altered the state of things.

7638. Then there was another very remarkable memorial presented to the magistrates or the corporation on one occasion, signed by 123 medical practitioners in Liverpool?—There was.

7639. Did that receive no attention?—No more than the other.

7640. That was not thought deserving of consideration?—No, I do not think it was. I do not think that the magistrates thought that they had anything to do with the medical aspect of the question.

7641. Have not the municipality of Liverpool appointed a committee called a Death Committee?—Yes, the town council, I believe, appointed a committee, called the Mortality Committee.

7642. Did that committee report to them?—Yes.

7643. Do you know what they reported?—No; it did not come officially before me, and I cannot charge my memory with the language of their report.

7644. Do you know whether they attributed a large amount of death to drunkenness?—I dare say they did.

7645. And did they not advise the closing of public-houses on Sunday?—That I do not remember; their report would show that it may be so, but I did not pay much attention to it.

7646. Have you ever seen any comparison of crime including drunkenness at Liverpool, as compared with other seaport towns?—No, I have not; I take it to be admitted that there is more drunkenness in Liverpool than in most other seaport towns. That I may admit at once; but I cannot charge my memory with having seen any comparative return upon the subject.

7647. You never saw a return comparing Liverpool with all the large ports in the kingdom?—No, I have not.

7648. If you heard that, as compared with South Shields, there were in Liverpool 12½ times as much population and 17 times as many drunken cases, as compared with Tynemouth 13 times as much population and 24 times as many cases of drunkenness, as compared with Sunderland five times as much population and 14½ times as many drunken cases; and going on the same with Bristol and numerous other places, to what should you attribute that great difference?—I do not know whether the population is assumed to be equal in all those places.

7649. No, I am assuming the population to be accurately stated, which I believe it to be, or else I would not mention it to you, and I ask you to what would you attribute that great difference?—To the habits of the population in those towns; that

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that in some they are more drunken than in others.

7650. But do you think that that would extend to all the ports of England except Liverpool?—I should think that in all the seaports of England there would naturally be more drunkenness than in populations of equal amount in inland towns.

7651. But that is not my question. The question is, whether you can give me any reason for the fact, which I believe to be true, that the drunken cases and offences in Liverpool are so much larger in number than in any other seaport town in Great Britain?—I can only account for it from the peculiar nature and the character of a very large class of the population who are connected with shipping, and who are much more drunken in their habits than other people.

7652. There is no doubt that there is a large population connected with shipping in Liverpool, and of course it is very much larger than in any other port, but still to a certain degree they are people of the same class as in every other port, are they not?—Yes, no doubt to a certain extent they are.

7653. I want to know how you explain the great difference between Liverpool and those other places in that respect?—I am not prepared to give you any explanation that I think worthy of the attention of this Committee, but at the same time I may say that I do not attribute it to the greater number of public-houses or beer-houses in Liverpool.

7654. You do not think that restriction has any effect upon drunkenness?—Little or no appreciable effect, I think.

7655. Do you recollect Mr. Wilson Patten's Act in 1854?—Yes, I remember it; but it was so short lived that I can hardly say that I remember its effect. It was repealed the very next session.

7656. Do you know how it worked?—I remember that there was very considerable dissatisfaction expressed with regard to it.

7657. By whom?—I cannot pretend to say who the individuals were, but I know that there was a general feeling that it caused very great inconvenience.

7658. Did it create any public disorder?—No, I cannot say that it created any riots or anything of that kind.

7659. With the interest which you take in this question, did you examine the question at all to see whether or not it affected any reduction in the habits of drinking in Liverpool?—No, I think that it was in operation too short a time to effect any alteration, even supposing that you can make people sober by increased restrictions.

7660. It might not have had an effect upon their habits, but did it not produce a diminution of drinking?—I am not aware.

7661. But there was no difficulty in carrying the law into effect, was there?—No, I do not remember any difficulty, except very great dissatisfaction from the inconvenience which it occasioned.

7662. Do you believe that there are other countries where the habits or the desire for drink are so powerful as in England?—I should think that in Norway and Sweden the desire for drink is almost as strong as in England.

7663. In Germany do they not drink a great deal of beer?—In Germany they do drink a great deal of beer, but they do not get drunk, or, at least, to anything like the extent that people do in England.

7664. To what do you attribute that?—I attribute it to the fact that the people in those countries have more opportunities of innocent amusement than they have in England.

7665. There have been very great efforts made in Liverpool to diminish drunkenness, have they not?—Very great indeed.

7666. Whether wisely or unwisely, very great efforts have been made?—Very great.

7667. Do you think that those efforts have had but comparatively little effect?—I think but very little.

7668. And that you explain by the fact that certain people who want to get drunk, will have it, do what you will?—Yes, I think so. So long as there are such places where it can be sold they will get drunk. I know the effect is, that as you restrict those places, other places spring up of an illicit character, where they get drunk in places that are known technically by the police by the name of hush shops, of which I am told there are a very great number in Manchester.

7669. Do your views lead you to go so far as to wish that every grocer should have the power of selling beer and spirits?—Yes, they do so.

7670. You would give everybody who was of decent character the power to sell beer and spirits?—I would.

7671. Mr. Roebuck.] Would you not have an extension towards them of the police regulations?—Yes, certainly; that is, assuming persons were allowed to drink on the premises. I think that the police should always have access to houses where people may drink to excess, or where any disorder might be committed.

7672. What I conclude from your statement is simply this: that if a grocer chose to be a beer-shop keeper he might?—Yes, certainly.

7673. Or if he chose to be a licensed victualler he might?—Yes, he might; but he should require a license for the purposes of the revenue of course.

7674. Mr. Horsfall.] I apprehend that your views would not meet those of the licensed victuallers?—I think they are gradually being educated up to those views.

7675. Mr. John Abel Smith.] I suppose that you do not entertain any doubt that intemperance is the parent of crime and misery amongst the working classes?—I certainly do think that intemperance is productive of a great deal of misery as regards the individual (that I have not the slightest doubt of), and of a certain class of crimes; but I believe that all the worst crimes are committed by people who do not get drunk.

7676. What do you mean by that?—That felonies, murders, and crimes of the highest class, I think, you will find upon examination, are generally committed by persons who do not get drunk and who are sober.

7677. And you should view drunkenness only as the parent of more venial offences?—Yes, I do; offences of violence, no doubt, but not of the grand class of crimes.

7678. You do not believe that crime is concocted in public-houses?—Yes, I think it is rather in beer-houses, I should say, but it is concocted by persons who have their senses about them, and who plan and deliberate without the influence of drink; that is my opinion. Of course, I never was present.

7679. You do not regard the drinking habits of the population with the same apprehension as many others do?—Yes, I do; I think that nothing

ing can be more to be deplored than the drinking habits of the population; but at the same time I do not think that you can improve them by penal legislation. I trust to very different means.

680. Do you not think that the present habits of drinking are not only injurious to the morals, but to the health of the rising generation?—Yes, doubt they are.

681. Then, you wish to see a decrease of the present habits of drinking and drunkenness?—I trust devoutly.

682. Do you think that the way to do that is to take off all restrictive laws?—No, I do not say that that is the way to do it; quite otherwise. I think the way to do it is, to increase, if you can, the opportunities for innocent amusements, and draw the people out of their wretched dens into the country, and provide a better system, if possible, of education. I think that these are the influences which will in the end promote sobriety, as they have done among the classes above the class that we are now speaking of.

683. Do you think that the diminution of drunkenness in the classes above is owing to increased amusements?—I think that that is one cause.

684. Do you not think that the habits and opportunities of the poor, with regard to their houses and places that they stay in during the hours of rest, have not a great deal to do with their frequenting the public-house?—Such a large number of the poor live in such wretched houses that I think that the influences of home would be rather depressing, and would, therefore, favour drinking habits than the contrary.

685. Has there been much done in Liverpool with regard to improving the dwellings of the poor?—Yes; the municipality has spent and is spending annually very large sums of money in endeavouring to improve their habitations. I am afraid that they have not done very material good yet, but they are gradually, I believe, improving them; and I think that it will be found to tell in one or two years upon the habits of the poor.

686. Have they not rooted out the dwellers in those miserable cellars in Liverpool to a great extent?—Yes, I may say that they have abolished the cellar dwellings.

687. Mr. *Horsfall*.] In fact, they have got a Bill to that effect, have they not?—Yes.

688. Mr. *John Abel Smith*.] The municipality are very much in favour, as a whole, of either restriction upon the hours of drinking, are they not?—I have not heard any opinion expressed by the municipality upon that subject.

689. Did they not introduce a Bill into Parliament with that provision in it?—Yes; I think that the Bill introduced into Parliament did contain a provision, but not similar to this Bill.

690. It went further, did it not?—I am not sure; I think not; it also contained my principle, that is, for doing away with the discretion of the magistrates as to granting licenses, and the consideration of the wants of the neighbourhood.

691. Mr. *Baines*.] You have several times used the expression that restriction is no remedy for drunkenness; supposing that were to be admitted, that when habits of drunkenness are once established, it were to be admitted that they could not be broken except by total abstinence, which we know has in very many thousands of instances broken them, and supposing the question—

tion is not merely of remedy, as you say, but a question of prevention, I want to ask you, without in the least implying that you are not as great a defender of temperance as I am, do not you think that, by way of prevention, something might be done?—I have already expressed my views with regard to prevention. I say that restriction does not prevent drunkenness, and I may illustrate it in this way, that restriction is like keeping the door ajar, and total prohibition is locking and bolting it.

7692. Do you know that we have had evidence to the effect, that a great number of drunkards themselves have entreated to be delivered from the temptation?—I dare say they may have done so, but what I object to is, laying under disabilities an immense majority of people who do not abuse those good things.

7693. Have you heard that a great number of drunkards have themselves expressed an earnest wish to be delivered from the temptation under which they are physically compelled to succumb?—That may be so; but they are usually in such a maudlin state, that I should not attach much importance to anything that they said upon the subject.

7694. There is another class, namely, the young people, and I want to know whether you do not think, that opening such a vast number of places where there is that kind of liquor sold which does intoxicate, is not a serious temptation to present to the rising generation of a town like Liverpool?—My view is, that people should be educated to resist temptation. I do not think that a virtue which exists in the absence of temptation is worth anything at all.

7695. But still, if you could not avoid temptation, you would not multiply temptations of any kind, or present them to the public, would you?—Certainly not. At the same time I would not deprive a great majority of innocent people of what I consider a reasonable gratification, merely on the ground that it might possibly tempt other people to excess who were viciously inclined.

7696. You said that the more malignant crimes, and the most to be condemned, you think, are not produced by drunkenness. I ask you, as a clerk to the magistrates, whether you do not see a vast number of instances come before you, and come before the magistrates, of disorderliness and outrage, and outrages upon wives and children and others, which are produced absolutely and exclusively by drunkenness?—Undoubtedly there are a great number of assaults occasioned by drunkenness, and what are called disorderly cases.

7697. Are there not many murders?—No, I think not.

7698. Are you aware that several judges of the land have expressed a very strong opinion upon this subject, that a very large proportion, some of them carrying it up to nine-tenths and some up to four-fifths, of the crimes which come before the courts of justice arise directly or indirectly from habits of drinking?—I believe it is a very common topic at quarter sessions and assizes for a judge to charge the jury to a similar effect.

7699. Colonel *Fane*.] I suppose you think that the beer-houses ought to be put under licenses as well as the public-houses?—Yes; I think that they ought all to be put under one license.

7700. *Chairman*.] The Honourable Member for Leeds asked you whether many drunkards were

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not crying out for protection and assistance; such as would be afforded by this Bill, to assist them to be sober. I understand you to be quite opposed to admitting the principle that drunkards ought only to be protected by means of muzzling every individual?—Quite so.

7701. Mr. *Roebuck*.] To sum up some portion of your evidence, I think I may say that it is your opinion that deliberate crime is not perpetrated by drunkards?—That is my opinion.

7702. Mr. *Knatchbull-Hugessen*.] The comparative proportion of drunken cases that come before the magistrates in different towns depends somewhat upon the comparative strictness and efficiency of the police, does it not?—Very much.

7703. Have you a very strict and efficient police in Liverpool?—Very strict indeed; and a very numerous body of police.

7704. Mr. *Evans*.] I understood you to say,

Mr. MICHAEL BEAL, called in; and Examined.

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7708. Mr. *Roebuck*.] You are an inhabitant of Sheffield, are you not?—Yes.

7709. And you are a Common Councilman, are you not?—Yes.

7710. How long have you been a common councilman in Sheffield?—On and off, perhaps 10 or 12 years.

7711. I think you are now a tradesman in Sheffield, are you not?—Yes.

7712. Of what trade?—A watchmaker and jeweller.

7713. In the early part of your life I understand you had been a journeyman?—Yes, for 20 years.

7714. You hold other offices, I think; you are President of the Chamber of Industry at Sheffield?—Yes.

7715. And you are an officer of the British United Order of Odd Fellows?—Yes; I am treasurer of that society.

7716. I think I may say that you were a very strenuous opponent of my election during the last general election?—I was.

7717. Have you read the present Bill?—Yes.

7718. As regards the past restrictions upon drinking, do you think that they have been beneficial?—I think not. My opinion about it is that legislation has gone quite far enough upon the subject.

7719. I want to know whether you believe that past restriction has been beneficial?—I do not think that it has.

7720. I am talking now of the existing law, do you think that the law, standing as it is, has worked beneficially?—I think that it entails considerable restriction upon the community, but it is bearable, and that is about all that I should say for it, and I have my reasons for that.

7721. I need hardly ask you if you are against any further restriction?—I am entirely opposed to any further restriction.

7722. On what ground are you opposed to it?—When I was a young man along with a great number of others we used to be in the habit, and the working classes generally were in the habit, of taking excursions into the country; we have many remarkable historical places in the neighbourhood of Sheffield, and we made a practice of visiting those places on a Sunday.

that you thought that murders were not frequently caused by drunkenness, but I suppose you would admit that a great many cases of manslaughter and aggravated assault are caused by drunkenness?—Certainly, I do.

7705. Mr. *Baines*.] In my former question I intended to include cases of manslaughter as well as murder?—My answer simply referred to cases of murder.

7706. Mr. *Knatchbull-Hugessen*.] Have you ever known of a number of pockets being picked as people were coming from church?—Yes; that is generally the case where there is a crowd; and there is temptation to steal wherever there is property.

7707. Mr. *Baines*.] Do you believe that this is done by people who have been inside the church?—Yes; very frequently pockets are picked in church.

We made up parties of half-a-dozen, and we found great inconvenience at times in obtaining shelter and refreshment when the public-houses were closed, for the local magistrates interpreted the word traveller to have very different meanings, and we were very frequently refused necessary refreshment. I have walked as much as 30 miles on a Sunday for recreation, and perhaps not had more than a pint of ale and my tea or dinner at a public-house.

7723. Now let me direct your attention to Mr. Wilson Patten's Act; do you recollect any report being made to the town council by a Committee especially appointed to consider that subject?—Yes, a report was made.

7724. Was any action taken upon that report by the Council?—No, it was in 1852 when the report was presented to the council, that report was received by the council, and a motion was made that 1,000 copies of it be printed for distribution, but the motion was negatived.

7725. Was any other action taken upon the report?—No.

7726. It was merely received?—It was merely received.

7727. Do you recollect the passing of Mr. Wilson Patten's Act?—Yes.

7728. What was the effect of that Act upon the popular mind of Sheffield?—I think that they considered it a very harsh and severe measure. I remember being in the habit then of going to a public-house on Sunday evening to read the "Examiner" and the "Spectator," and have a friendly chat upon local and public affairs, and it was found a great grievance to have at 10 o'clock like apprentice boys, to be turned out and told you must go home, as if you were not fit to take care of yourself.

7729. Do you recollect whether there was any feeling about that Act before it was passed, or did the opinion respecting it arise after it had been passed?—The greatest agitation that we had upon the subject I think in Sheffield was in 1855.

7730. Was that after the Bill became an Act or was it before?—It was after.

7731. Before that, I take it that people knew nothing about what was going on?—No; I think not.

7732. When the Bill became law, did there arise

any strong feeling in Sheffield against that of Parliament?—I am not very sure upon that. There have been very strong agitations in Sheffield upon this question, but I cannot speak as to whether it was just at that time or not, there was one respecting the Maine Liquor Law, and another respecting the restrictions which, I think, preceded Mr. Wilson Patten's Bill. I believe the agitation was preceding the passing of that Act.

7733. Had you any public meeting about Mr. Wilson Patten's Act?—I believe it was on Mr. Wilson Patten's Act that the public meeting was held in the Temperance Hall. I think it would be in December 1854, when the meeting was held in the Temperance Hall. I went to that meeting, and told them that I thought the number present there was not sufficient to speak for inhabitants of a borough so large as Sheffield with 220,000 people, and I moved an amendment that the meeting be adjourned, and that we have a public meeting in Paradise-square. I forget exactly the termination of that meeting, but the result was that we got up a requisition to the mayor to call a public meeting in Paradise-square, and I was one who presented it to him, and that was signed by above 9,000 requisitionists. A meeting was accordingly held, and the mayor, Sir John Brown, was in the chair; the meeting was held on a bleak day in December, and the resolution against the measure was carried by about 10 to 1.

7734. That was against Mr. Wilson Patten's Bill?—Yes, it was either that, or it was against Mr. Somes' Bill.

7735. You are perfectly sure there was a meeting about the restriction of trade in drink?—Yes, I have attended several.

7736. I am now talking about that one which was held in Paradise-square, at which Mr. John Brown presided; that was a meeting held on the subject of restriction upon the sale of liquor?—Yes.

7737. Was that as to the restriction on the Sunday or the general sale; can you tell me that?—If it was Mr. Somes' Bill, it would be on the general sale.

7738. Mr. *Horsfall*.] Mr. Somes' Bill, I think you understand, was for entire closing?—Yes.

7739. Mr. *Roebuck*.] The feeling of the meeting was entirely against that, was it not?—Yes.

7740. I want to get at the present feeling of the town; are you at all aware of any canvassing being made upon this subject lately?—Yes, I am aware of it through the newspapers, but not further.

7741. You know nothing about it?—No, not speak confidently.

7742. Colonel *Fane*.] Did they not canvass you?—No.

7743. Mr. *Roebuck*.] Do you think that it was a partial or a complete canvass?—Judging from what I have read in the newspapers, I think the signatures, pro and con, would not be above 1000 or 8,000, and we have about 40,000 adults in Sheffield.

7744. Are you aware whether the town council has taken any action upon this Bill?—No, they have not; it has never been before the council.

7745. Has there been any application made to them on the subject?—No.

7746. So that if there has been any canvass, it has not been within the knowledge of the constituted authorities of the town?—No.

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7747. And not with their aid?—No.

7748. What do you believe would be the effect of the present Bill, if carried into law, upon the inhabitants of your town?—I think it would press very hard indeed upon the parties who do not agree with the principle of it. There are two ways in which drunkenness may be thought to be remedied. The remedy proposed by this Bill is, restricting the hours of public-houses being open, but a great many people believe that the proper remedy for drunkenness is education, social reform, and improvement in the habits and morals of the working classes; and this is to be done by other means than by legislation. I have often found that the people who seek compulsory powers are people who take very little interest in education, and in public movements for the social and moral elevation of the people. My own impression is, that the public-houses are like the public streets, places of public resort, and that they ought to be regulated upon similar principles, but that no restraint should be put upon the orderly people who frequent those places, any more than you would put restraint upon people who do not disturb the peace in the public streets.

7749. So that you would not coerce the whole of the community, because there are a certain small number of habitual drunkards?—No; you do not put a strait-waistcoat upon a sane man; you only put it upon an insane man; and I should not think of putting restriction upon a temperate man because an intemperate man abused his privileges and his liberties.

7750. Should I be right in saying that a large proportion, at least, and perhaps a majority of the working men, are against any further restriction?—I have no doubt about it myself; my impression about it is, that if you take the municipal elections as a fair test of public feeling upon this matter, whenever a teetotaler has come forward upon temperance principles, he has always been rejected; I do not think that our town council would muster half-a-dozen people who were for this Bill.

7751. Then you take that to be a symptom of the popular opinion in Sheffield?—It is a good test, I think.

7752. And you would say that anybody who came to this Committee and told us that the feeling of the majority of the working people of Sheffield is in favour of this Bill was in error?—I think so.

7753. To test your means of judging of the working men, I suppose you do not yourself employ any large number?—No.

7754. How many do you employ?—I am a watchmaker and jeweller, and I only employ two men.

7755. What facilities have you for learning the feelings and opinions of the working classes in Sheffield?—All my life I have mixed with them in all their social movements for their moral and social elevation. I was connected with the Mechanics' Institution for some years. I have been mixed up with them in connection with different societies. I have been mixed with them in freehold land societies. I think we have a greater number of freehold land societies in Sheffield than perhaps in any town in the kingdom for the population.

7756. Taking into consideration all those means of judging of the habits and manners of the working men of Sheffield, have you perceived

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ceived any great change, of late years, in their habits and manners?—Yes, a considerable one. The feeling against drunkenness now is such that you seldom hear or see a drunken man making an exhibition of himself in the street. Formerly it used to be a very common practice with ignorant people, who were drunk, to go shouting and bawling along the streets, but you do not see that now.

7757. Has there been any diminution in the drunken cases that are brought up before the magistrates in Sheffield?—I believe they have diminished about one-half, taking into consideration the increase of the population.

7758. You have a very large Irish population in Sheffield, have you not?—Yes, a considerable one.

7759. Have you any notion of the number?—It would be a rude notion; say 10,000. I do not know exactly.

7760. I do not mean to put it invidiously; but is it not the fact, that a great portion of the disorderly cases that come before the magistrates are composed of that Irish population?—There may be rather an over proportion of the Irish, but there is a moderate share of the English, I think, amongst them.

7761. So that there is still a good deal of drunkenness in Sheffield?—I think it is considerably abated; it is gradually diminishing, and by proper encouragement, by education, and other means, I think it might be dispelled.

7762. And, amongst other means, I suppose you would say the means of innocent recreation on Sundays?—Yes.

7763. Have you not had some parks lately opened in Sheffield?—Yes, we have; not very lately; it was some years ago.

7764. Are those frequented by the working men?—Yes.

7765. I mean the park given by the Duke of Norfolk; was that opened 20 years ago?—Yes; but that park, I may say, has not been put into the very best condition; it has not been made so attractive as it might be. There is a very nice carriage drive through it, and that is the most that you can say for it. I believe the working classes of Sheffield prefer either going trips by railway to Grimsby, or to Worksop, to get into the Dukeries, or to going into the lovely glades of Derbyshire and to the Wharfedale Craggs, and to all those delightful spots that we cherish and enjoy so much.

7766. You think that those are the attractions which lead the Sheffield men away out of Sheffield on Sunday?—Yes.

7767. And those men thus led away, and usefully led away, would be restricted and inconvenienced by a Bill of this sort?—Yes; I was expecting to be examined by the Committee of which Mr. Berkeley was Chairman in 1855. The Committee came suddenly to a conclusion, and my evidence was not called for, but I received a letter then which I was requested to attend to, and if the Committee will allow me I will read it now; it was from six or seven working men in Sheffield.

7768. Mr. John Abel Smith.] Are they alive or dead?—Some of them are dead and some are living.

7769. Mr. Roebuck.] But they are working men, and you know them all, or you did at that time?—Yes. They say, "Sir,—Hearing that you are collecting evidence to show the operation of

the Sunday Closing Act preparatory to appearing before the Committee of Inquiry, I take the liberty of furnishing you with the following case of extreme hardship. In the summer of last year a party whose names are below, started from Sheffield one Sunday morning for the purpose of visiting Wentworth Park, in which is situated the splendid mansion of Earl Fitzwilliam. We took the train to Masbro'; we had then between four and five miles to walk; we had proceeded about a mile when it commenced raining smartly; we pushed on for Scholes, a village about two miles from Wentworth; having been before a man times we felt sure of getting both shelter and refreshment; we arrived without being seriously wet, and began to congratulate ourselves on our prospect of shelter, when, on applying for admittance at the first public-house, we were told that we could not possibly be admitted as the constable was expected every moment, and if we found company in the house they would be fined. We said we were from Sheffield; that we were a party of respectable mechanics, and that it was raining fast then; that we did not care for refreshments so much as for shelter while the shower was over. We further stated that we would give our address, and become responsible for anything that might take place. But it was all in vain. We met with the same success at another public house in the same village. Here we were two miles from Wentworth, and no appearance of the rain abating. Well, on we went, sheltering occasionally under a tree, till we reached the village of Wentworth, at about 20 minutes to 1 o'clock in the forenoon, completely soaked through with rain. We applied for admittance at the 'Rockingham Arms,' but was told they dare not allow it as they would lose their license if they did. We told them we would be satisfied if they would allow us to shelter, but it was of no use. They told us we might go into an old barn or outhouse and stop while Divine service was over, which at last we were obliged to do, and then we remained for two hours giving our opinions both loud and deep, and wishing all Sunday law makers a taste of what we were enduring at that moment. However, there was no alternative but submit we must with the best grace we could. After those two hours were over, we were made acquainted that service was over by seeing certain fine carriages rolling through the street of Wentworth, a circumstance not calculated to engender any very kindly feeling between the class and the class we belonged to. However, after a while, we were told we might go into the house until three o'clock, when we were obliged to leave though the weather was very bad, and to walk to Greasborough, a village two miles distant, it raining nearly all the time. The above I know to be correct in every particular, being one of the unfortunate party myself. Yours respectfully Edwin Colley. The others comprising the party were, the writer of the above Edwin Colley (Scissorsmith), John Machon, William Turner, Thomas Clark, William Wildblood, William Ashby."

7770. Do you know whether there has been any petition presented from Sheffield about this Bill?—Yes.

7771. What petition was that?—The petition presented against the Bill from Sheffield and the neighbourhood are as follows: From the inhabitants of the town of Rotherham, county of York signed by 938 persons; from the township of Kimberworth

timberworth, parish of Rotherham, county of York, 600; from the township of Greasborough and Rawmarsh, parish of Rotherham, 612; from the townships of Swinton Masbro' and Kilnhurst, county of York, 744; from the townships of Ath, Wentworth, Elsecar, Hoyland, Wombell, and Hemmingfield, county of York, 745; from the village and parish of Ecclesfield, Wortley Union, county of York, 280; from the townships of Stannington, Wadsley, and Grenoside, county of York, 814; from the township of Upper Hallam, parish of Ecclesall, borough of Sheffield, 266; from the hamlet of Blackburn, township of timberworth, county of York, 187; from the townships of Dronfield and Eskington, county of Derby, 821; from the borough of Sheffield, county of York, 25,776, making a total of 31,783 within nine miles of Sheffield.

7772. Do you know anything about the number of petitions presented for the Bill?—Nothing more than what I have seen in the newspaper. I have made no inquiries upon the matter.

7773. Mr. *Horsfall*.] You have told the Committee that you are opposed to any further restrictions with regard to the sale of liquors, but you do not object, I apprehend, to the present law?—I think it is working tolerably; no one is much dissatisfied. I think there are efforts going on to diminish drunkenness, and that if they are encouraged they will gradually abate it, both on Sundays and week days.

7774. You spoke of the population of Sheffield, and yourself amongst the number, generally going on excursions on Sundays, and on one occasion you took a walk of 30 miles; I presume that that was not after being at a place of worship?—No; we started early in the morning.

7775. And it occupied the whole day?—There is a difference about what we call worship. I call worship going to look at the beauties of nature. I can find worship in the fields as well as in a chapel.

7776. In the usual acceptation of the term, you had not been that day to a place of worship?—No.

7777. You do attend one, of course?—Yes, occasionally.

7778. You told the Committee of a great meeting which had been held at Sheffield, but I think I recollect from your evidence that you did not know whether it was on the subject of Mr. Somes' Bill, the Maine Liquor Law, or Mr. Wilson Paton's Bill?—It appears that I have got a little wrong in my notes upon the matter.

7779. But you cannot speak with any certainty?—I can speak with certainty that we had a large meeting in Sheffield upon the restriction of the sale of liquor, at which all took place that have stated, but the precise date I do not know.

7780. You do not know with regard to what specific Bill the meeting was held?—No, I would not be positive upon that.

7781. You said that you thought it hard that restrictions should be put upon the temperate men, because there were intemperate men; do you think that the temperate men would object?—Yes; I object.

7782. Do you think that the great body of the temperate men would object?—I think a great number; the majority would.

7783. You further told the Committee that there were not six men in the town council of Sheffield in favour of this Bill?—I think there are not.

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7784. Has the Bill been considered by the town council?—No.

7785. You are merely giving your opinion as to what their view of it would be?—Yes.

7786. You further stated, which, as I understand, accorded with the opinions that had been given before, that there is a great improvement in the working classes of Sheffield, and you attribute that to education?—Yes. Since I have been a resident of Sheffield during the last 40 years as a mechanic, a vast number of institutions have sprung up amongst the working classes, all tending to their elevation. There are free libraries, mechanics' institutions, land societies, peoples' colleges, and a vast number of efforts have been made within the last 30 years, which have done a great deal towards the social and intellectual elevation of the working classes.

7787. You gave us a glowing description in a letter of some hardships which had been undergone by some of your fellow-townsmen in Sheffield, in not being able to get into a public-house during the rain. You are, perhaps, not aware that they were entitled to go into a public-house, and that it was a misapprehension on the part of the publican in not admitting them?—Then it is a very common misapprehension in our district, for I know that the law was carried out very stringently.

7788. I am only anxious that you should not put any misconstruction upon the existing law; you were probably not aware of the fact as I have stated it?—I think the intention of Parliament was defeated in that measure; but it was defeated by being placed in the hands of people who had, perhaps, rather narrow notions upon the subject.

7789. You would not desire that the public-houses, in a general way, should be open during the hours of Divine service, would you?—No, I do not know that I should press that at all. I should leave the law very much as it is.

7790. Mr. *Knatchbull-Hugessen*.] You were asked whether a temperate man would object to protective restrictions; I suppose you draw a distinction between a temperate man and a temperance man, do you not; what I mean is this, that a large number of persons may use and do use those public-houses on Sunday who are perfectly temperate men, and who, of course, would object to further restrictions, as interfering with themselves?—Yes.

7791. A temperance man is a man who is equally temperate, there is no doubt, but who wants to impose his peculiar views with regard to restrictions upon temperate and intemperate alike?—Yes, quite so.

7792. Mr. *Evans*.] Are there many persons in Sheffield belonging to the working classes who live in lodgings?—Not a very large number; we are a more domesticated population than is almost any other large town, with the exception of Birmingham.

7793. With regard to those who do live in lodgings, because I presume there are some, where do they generally take their meals?—They take them in the places where they lodge.

7794. With regard to excursionists, you have told us that a great number of persons in Sheffield are in the habit of making excursions into the country on Sunday either on foot or in other ways; do they, generally speaking, come home late in the evening?—No.

7795. About what sort of hours do they generally come home?—From nine to ten o'clock generally.

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generally. The seat of the Duke of Devonshire, Chatsworth, is 12 miles away, and you will see dozens of vehicles go out every Sunday, and very often pedestrians going. It is a hilly country, and there is no other means of getting there but either walking or driving.

7796. As a rule you would say that the persons who make Sunday excursions from Sheffield would be home by 10 o'clock at night?—Yes; some few may be from 10 to 11.

7797. Mr. John Abel Smith.] You say that you have been a very considerable number of years a municipal councillor at Sheffield?—Yes.

7798. How long ago were you elected?—It would be about two years ago now since I was elected last.

7799. And had you many failures before you succeeded?—I never spent anything over elections myself; the public had to elect me. About seven years ago they put me out, because I was a great sanitary reformer. I waited till the public came round, and they invited me, and put me in without expense again.

7800. Was that the only time you failed?—There was once a ruse practised upon our party. That was before the three-day notice had to be given to the town clerk before the municipal election of all candidates. During the night before the election a party got up an opposition; we were sleeping upon our oars, and they worked and beat my party; that was the time I think.

7801. Was that the only other time?—Excepting on the Improvement Bill.

7802. Mr. Roebuck.] I suppose you have been defeated three times; is that the case?—No, I think only twice; I do not remember any other time.

7803. Mr. John Abel Smith.] But you have been in now two years?—Yes, two years.

7804. You say you are president of the Chamber of Industry; will you tell us what the Chamber of Industry is?—The object of it is to teach political economy by lectures and discussions.

7805. How many members are there in the Chamber of Industry?—I have not come prepared to speak upon that.

7806. Are there 100, or 50, or 200, or 1,000?—There may be 50, but we operate upon public opinion by engaging competent lecturers like Professor Leone Levi, and others, to teach the working classes what we believe to be the truths of political science, and economic science.

7807. But it consists of about 50 people, does it?—Yes, I should say the continuous members amount to that number.

7808. Does that bring you much into connection with the workmen of Sheffield?—We have large gatherings at times; we have sometimes several hundreds together; I think when we invited Mr. Roebuck to give us an address on labour and capital, there were thousands went away as well as thousands who got into the building.

7809. You say that you were a great opponent of Mr. Roebuck's in former years; I suppose you have made up matters with him now?—No; there is nothing personal between me and Mr. Roebuck.

7810. About those meetings that you talk of, do you recollect the meeting of the town council in 1852 with reference to drunkenness?—Yes, I recollect it; I think I was not in the council at that time.

7811. But you recollect it?—Yes, I recollect it.

7812. And you recollect the report of the committee?—Yes, and I have referred to it in the books of the council.

7813. Was not that report received and adopted?—Yes; I must just explain that if we appoint a committee to inquire into any question, if the report is not in accordance with the feeling of the council we always receive it and adopt it out of compliment to the committee but we take no further action upon it, and very likely that was the case with that report.

7814. Do they never send reports back?—Sometimes they do to be amended.

7815. Then you did not send that report back?—The council, I think, did not, according to the minutes.

7816. Mr. Roebuck asked you about 1854 and 1855; do you recollect anything happening then?—According to my data, I say a large meeting was held in December 1854, I think it was.

7817. What was it about?—They say it was Mr. Soames' Bill. Some one has corrected me upon that matter; I thought it was upon Mr. Wilson Patten's Bill.

7818. Are you sure that there was a great meeting in 1854?—That I am certain about.

7819. Was there any one later than 1854?—Yes, I think there was.

7820. What meeting was that?—I cannot call to mind all those things, for I let those matters pass.

7821. Recently has been a meeting?—Yes, there was one called lately, and about 100 persons according to the newspapers, were present.

7822. I do not mean the other day, but in more recent year; it is a long way to carry you memory back to those old meetings, and I do not want to trouble you about them, but was not there a great meeting held in 1863?—I can remember several of those meetings, but the precise date I could not give, for it appears I have got wrong with them, and I am not in a position to set myself right.

7823. Will you take those two newspapers and tell me what they are and whether they contain any statement that you recognise (*handing two newspapers to the Witness*)?—Yes; this is the "Sheffield and Rotherham Independent" of April the 22nd, 1863. The meeting here referred to was a meeting in the Temperance Hall for the closing of public-houses on Sunday.

7824. Whose Bill was that?—That would be Mr. Wilson Patten's, I think, but I do not remember precisely; I was present at that meeting and moved an amendment, and here are my remarks.

7825. Will you read the first paragraph?—"A public meeting was held in the Temperance Hall, Townhead-street, last evening, to consider the Bill now before Parliament for closing public-houses on Sunday." It does not say whose Bill it was, or what Bill it was.

7826. Will you take the other paper in your hand and tell me what the paper is?—The "Sheffield and Rotherham Independent" of Saturday, April the 25th, 1863, and the first paragraph is: "This measure is receiving in various parts of the country a great degree of support, and popular meetings are found, after warm debate, to adopt it. The proceedings on Tuesday evening, at the meeting convened and presided over by the mayor, suffice to show that there is a very large

large part of our population disposed to give at least a modified support to the Bill."

7827. Then we must receive with great allowance for the inaccuracy of your memory your statement about the meetings?—I have no doubt that this article would justify what I have said if I was to read it through.

7828. But your recollection is inaccurate as to those meetings; as to the time at which they took place, and the motive for which they were called?—Yes, as to the particular objects of the Bill I do not precisely recollect.

7829. You do not recollect that, in 1863, Dr. Hale moved a resolution which was carried by a large majority?—I do not know what the resolution is which you refer to. If you read it, perhaps I can tell you if I recollect it.

7830. You say that you are very much in favour of education; would you tell me what you have done for education in Sheffield?—I have taught classes for some years in the Mechanics' Institution; I was secretary, and I have been president, and I am also now, to the Chamber of Industry, trying to indoctrinate the working classes by means of addresses, with right principles of political economy; and I have taken much interest in all movements of a social character.

7831. Have you been known to be for some years a strong supporter of the publican interest in Sheffield?—I have no connection whatever with it. I perhaps do not go to a public-house, unless I have business there, 10 times in a year myself. I am entirely out of their influence. I go upon my own opinions and convictions.

7832. You talked about a petition got up at Sheffield, to which there were 25,000 signatures. Do you know who were employed to get up that petition?—No, I cannot tell now.

7833. Do you know who did it?—I cannot speak to that now.

7834. Did you ever hear of a man of the name of Thomas Haynes in Sheffield?—I think the name should be Haigh. I know Haigh.

7835. Do you think he had anything to do with it?—He might have had, but I had nothing to do, I think, with the getting up of it.

7836. You think it is possible that Haigh had something to do with the getting up of the petition?—It is possible.

7837. What has happened to Mr. Haigh since

or before, has he not been unfortunate?—It was some municipal squabble that he was sent to prison about.

7838. Mr. *Roebuck*.] I suppose you know Mr. Skinner?—Yes.

7839. Is he a very respectable man?—He is a very respectable man.

7840. Do not you think he had something to do with getting up the petition?—Yes, I have no doubt he had. He is secretary to the licensed victuallers; he is a very respectable man; he has been a member of the town council, and is very much liked.

7841. Mr. *Knatchbull-Hugessen*.] With regard to those reports presented to the town council, if I understand you rightly, you sometimes send them back to be amended, that is, I suppose, when you agree with the principle, but you think that there is some detail which might be altered?—Yes.

7842. But if you disagree with the principle of the report you put it upon the shelf, and that you call adopting it?—Yes, no further action is taken upon it. The copy of the report I believe that has got here has not been sent by the town clerk.

7843. Colonel *Fane*.] With reference to the observations of the Honourable Member for Liverpool just now, he said when you read that interesting letter of long date, from those mechanics who went to a distance from Sheffield, that it is well known that the public-house keepers were wrong, inasmuch as those men were travellers, and therefore they ought to have been admitted; but you are, perhaps, also aware that the wiser men than the public-house keepers in the neighbourhood of Sheffield have differed considerably about the word "traveller," and that there is such a great difference of opinion among the public-house keepers as to how it is to be read, that they are frightened to death upon the subject?—Quite so.

7844. Mr. *John Abel Smith*.] Was there not a man of the name of Wildblood who signed that letter to you making that complaint?—Yes.

7845. Has he not become a teetotaler since?—I see he belongs to the Hallelujah Band now.

7846. I suppose he would not write that letter now, would he?—I cannot tell, I am sure, what he would do, but he signed that letter.

Mr. JOHN WILSON, called in; and Examined.

7847. Mr. *Roebuck*.] You are a mechanic, of Sheffield, are you not?—I am a Sheffield grinder.

7848. How long have you been in Sheffield?—All my life. I am the son of a Sheffielder, the grandson of a Sheffielder, and the great grandson of a Sheffielder; and both my father and mother are living.

7849. I suppose you believe that you know something of the feeling of your brother workmen?—I do.

7850. I think that you have been employed for 35 years at the works of Messrs. Rodgers?—Upwards of that time.

7851. Were you not appointed to represent the working class of Sheffield at the Paris Exhibition?—I do not know that I was to represent the working class. The Mayor recommended me as a suitable person, as a skilled artisan, to represent the old staple trade of the town.

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7852. You went to Paris, did you not?—I did.

7853. You then probably had an opportunity of watching the proceedings of the Parisian working population on Sunday?—Yes.

7854. Besides being a working man in Sheffield all your life, have you had other opportunities of judging of the feelings and wishes of your brother workmen?—Yes, many.

7855. Will you explain them to the Committee?—In the first place, I have been a successful competitor in three or four prize essays bearing on their social interests, which has forced me to inquire into their habits. In the next place I was for about 20 years connected with the People's College, an educational institution, and for three nights a-week I took classes for a number of years. I have been a Sunday school teacher. I was a member for many years of the Mechanics' Library, and also a member of its committee

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committee. I have been a member of the Free Public Library, voted in year by year by the Corporation from its commencement. I was one of the promoters of the freehold land movement, and a member of its first committee, and one of the first who got a vote. I am connected with one of the largest building societies in Sheffield as a director. I am the only artisan director; the others are much higher in social position. I was honorary secretary of the Working Men's Committee, after the Holmfirth flood, after the bursting of the Bilberry reservoir. I was treasurer of the Working Men's Patriotic Fund during the Crimean War, and I was honorary secretary of the Workmen's Tools Committee after the Bradford inundation.

7856. From all those circumstances, you believe yourself to be capable of judging accurately of what the opinions of your class are?—I believe that I should be thought so in Sheffield.

7857. Has there been any canvassing amongst them, and amongst that class generally, as to the effects of any further restrictions upon the sale of liquor on Sunday?—I believe that there has been a partial canvass of a number of workshops by the promoters of the Bill.

7858. Had there been a full canvass, what do you think the result would have been?—My opinion is decidedly that there would have been a great majority against the Bill.

7959. So that if anybody came to this Committee, and stated to us that the feelings and opinions of the majority of the working men of Sheffield were in favour of this Bill, he would be in error?—I should think that he was greatly mistaken.

7860. During your life, which has been passed amongst the people of Sheffield, can you speak to any great change in their habits and manners?—A very great one.

7861. Of what sort?—In the improvement of the character of their homes, in the personal appearance and habits of the workmen, in their more prudent habits, as manifested by the immense sums invested in freehold land societies and building societies, and, perhaps, what would not be a bad criterion, the increasing number of savings bank depositors.

7862. In contrasting their habits, as regards drunkenness, with past habits, has there been any great change with respect to that?—More in that than in any other respect.

7863. And I suppose the change has been for the better?—Certainly.

7864. Is that shown not merely by their own personal appearance, but by the very appearance of the town?—Decidedly so.

7865. Putting aside the terrible things that we have heard of in Sheffield, would you not say that, taking them as a class generally, they are a sober, well-conducted, honest, industrious body of men?—I believe, setting aside the class of outrage to which you have alluded, they will bear a favourable comparison with any town in the kingdom.

7866. And all that improvement has taken place under the present state of the law?—Yes.

7867. In your opinion, as a man well understanding the habits of your class, do you think that any further restriction is needed for their better improvement?—I do not; because I do not think that the improvement has been brought about by restriction, except in one case; I allude

to the closing of public-houses on Sunday forenoon.

7868. You think that that has led to good?—I am sure it has.

7869. Will you explain in what way?—When I was a boy, I remember a number of characters who used to be constantly drunk on Sunday morning. They had been drunk on the Saturday and they got something to drink on the Sunday morning before they had become sober, and they became a perfect pest to society. But I may say that I intended to bring a letter up which evinced the other morning, alluding to a public house that I well knew when I was a lad. An uncle of mine was a visitor there, and he said that the landlord used to sell three barrels of beer on a Sunday morning; and that was only a small public-house.

7870. Putting the question directly to you that restriction having done good, do you think it requisite in the present state of improvement on the part of the working men, that there should be further restriction upon their liberty in that respect?—No.

7871. You think, then, that their habits enable them to take care of themselves, and to keep themselves out of mischief without the aid of that fostering law?—I think the law assumes every sane man to be competent to take care of himself.

7872. Do you think that the great body of the working men to whom we have confided the government of the country, require this nursing mother of the law?—I do not think they do.

7873. Do you think that they would be offended by it?—The great majority of them would.

7874. You think that those people are misled who believe that they are winning the good favour of the working men by promoting a law like this?—Most decidedly.

7875. Directing your attention to Paris, I suppose that was a new world to you, you had never been there before?—I had never been out of England, except to the Isle of Man, before.

7876. Then, when you got to Paris, you got into a new world?—I did.

7877. What was your opinion as to the behaviour and appearance on Sunday there?—I was very much struck with it. I saw some things which I very much approve of, and others to which I had a decided objection.

7878. Will you explain what you approved of and what you disliked?—It was certainly distasteful to me to see men following their ordinary occupation on Sunday, and on that point I think I take a workman's view. I should be very sorry to see that in this country, because I believe that such would be the force of competition that the workman would get no more for seven days' labour than he does for six. As such I should not like to see that part of a continental Sunday become common in England. That opens the wide question as to how far one should be the judge of what rest a man requires; but I may say that upon the question of sobriety and some other questions of morals, Paris was infinitely before many of our large towns, the metropolis here not excepted. In the public gardens and museums I saw a great number of people orderly and clean. You see in the neighbourhood of Sheffield a larger proportion perhaps of well-dressed and expensively-dressed people on Sundays, but I should not see on Sunday mornings so much personal cleanliness as I saw in Paris.

7879. Was

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879. Was it the social habit and manner of the people in Paris to take their wives and children to enjoy whatever they enjoyed on the Sunday in common with themselves?—That was almost the very time when I saw children, in the gardens of the Luxembourg and in some of the museums, in the Exhibition itself.

880. Did they differ much in that respect from the habits and manners of your own class in Sheffield?—There are many Sheffield people who take their wives and children out on a Sunday evening; but coming to the worst stratum perhaps of our society, they would not be the class, because we have a large class in Sheffield that would be popularly known there as those who burn charcoal on Sundays; that means keeping the houses, because they have no clothes to wear out in. We may see them on Sunday evenings early, but not afterwards.

881. Is there any large number of that class in Sheffield?—Not anything like what there used to be. We have another expression which is never said of a man on a week day: "I have seen such an one in his Sunday clothes; he is going to work in his Sunday clothes." That means that the man has not any other; he has only what stands up in, and perhaps those are some that have been given him by a more fortunate or more intelligent fellow-workman, or perhaps a master, or that he has had given him in charity.

882. Do you think that the working class in England is capable of being entrusted with the same degree of liberty that the French artisan is?—I find more order in France, which I think results from the more efficient supervision of the police, in public assemblies, in the theatre, and in places of public resort, at the railway station, and other places.

883. But what I want to know is, whether you believe that the working man in England can serve himself sober without the aid of law, as he does in France?—I believe that the great majority would.

884. Do you think that it would be fair towards the large majority that are temperate to force them because there are a few intemperate people?—That is one of my great objections to the principle of the Bill.

885. Then summing it up, as a whole, do you think that we should do wisely in putting this other restriction upon the liberty of the working man?—No, and for this reason: all legislation on social questions I think must be a compromise between extremes; and as allusion has been made to a meeting in Sheffield on the Sunday evening, Dr. Sale, I believe, proposed a compromise to you over Mr. Somes' Bill. I recollect that meeting better than Mr. Beal does.

886. What was that?—I have the paper here, and I can give Dr. Sale's words, I believe.

887. Was I present at the meeting?—I believe it was made to you personally; I think you were the time the guest of Mr. Brown, who was the Mayor. Dr. Sale says, "Then came the question, are you going to propose to close the public-houses on the Sunday whilst you allow the club-houses to remain open?" That was one of the objections of the Sheffield workmen.

888. That, I think, has reference to a proposed amendment of mine?—Yes; Dr. Sale says, "A portion of what took place in his interview with Mr. Roebuck had been reported, and the honourable Gentleman appeared to have said that (Dr. Sale) only wanted the public-houses

closed on the Sunday evenings and not in the middle of the day. He would tell the meeting exactly what he said: he found Mr. Roebuck decidedly opposed to this Bill, on the ground that it would not be fair to the working classes. His reply was, that at a meeting which he attended a few evenings before, a working man who spoke on behalf of 50 others, assured him most earnestly that they would regard the Bill as a very great boon, because it would remove temptations which were too often irresistible. That man told him that working men yielded to the temptation held out to them on the Sundays, and that, in consequence of the excesses in which they indulged, they lost their self-respect, and were rendered miserable during the rest of the week. That showed that the working classes were not so much opposed to this Bill as those who had an interest in opposing it would lead people to believe. Still further, he assured Mr. Roebuck that he believed that a great part of the innkeepers had declared in favour of the measure. Some of them were asked, 'Will you sign a petition in its favour?' but they refused, alleging as their reason that their landlords would be offended by it. Mr. Roebuck told him the Bill would not pass the second reading, and he thereupon suggested, as a sort of compromise, if it could be shown to be expedient that permission should be given to open the public-houses for two hours in the middle of the day; say, from one to three, or from 12 to two; during which persons could get their dinner beer. If after that time the public-houses could be closed, he should consider that a very great amount of good had been done."

889. Do you agree with Dr. Sale in that?—I do not. I think that Dr. Sale's opinion of the working classes is inadequate.

890. The fact is, you fancy that you know the working classes a great deal better than he does?—I think I could illustrate that by the fact that some time ago a Member of the House of Commons was in Sheffield making some inquiries with reference to a Committee of which he was a member, and Dr. Sale personally brought him to me and asked me to take him round a number of our manufactories. I allude to Mr. Powell, the Member for Cambridge; I spent a good part of a day with him, and he heard the opinions of the working classes more freely expressed than he had ever heard, the open opinions of any of our working men in the country. It was on some Bill in connection with the extension of the Factories Act, I believe.

891. To sum your evidence up, you are entirely opposed to this Bill; you speak as a working man, and you think that you speak the opinions of working men?—I believe that I speak the opinions of the majority of intelligent men, setting aside those who take a religious view of the question.

892. Mr. Horsfall.] How long were you in Paris?—I think about 17 days.

893. And you think that you had a good opportunity of judging of the character of the working classes of Paris?—I visited some places that, perhaps, I should not have visited in this country, on purpose, because of the points recommended by the society. These were the instructions of the society, leaving us perfectly independent to treat them as we thought fit. We were to inquire into the "Quality and character of the work turned out by different nations. Influences affecting the character of the work and

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the trade generally, such as, for instance, cost of materials, wages, conditions and division of labour, education, habits of life, amusements, &c., trade associations."

7894. My object in putting this question is to complete some evidence which you have given; you told us that in a certain small public-house, when you were a boy, there were three barrels of ale consumed on a Sunday morning, but you did not give us the amount consumed now; can you do so?—I believe that the person keeping it now was an apprentice at the same place where I work, and I should think that he is not selling more than that per week. I do not know positively, but I know that it will not keep him without working.

7895. You have told us that it is your opinion that the majority of the working classes of Sheffield are opposed to this Bill?—Yes; I have the result of the canvass here.

7896. You do not deny, of course, that there are others who entertain a contrary opinion, and, in accordance with the evidence given here, that there are a majority in favour of it?—Yes, there are a majority, but I think nothing like that has been suggested; but, perhaps the best test of public opinion upon the question, as was alluded to by Mr. Beal, is the action upon the municipal elections. We have had a good deal of Sunday legislation in Sheffield.

7897. But with special reference to this Bill there has been no discussion in the town council?—I believe not.

7898. Mr. *Roebuck*.] You do not belong to the town council, I believe?—No.

7899. Mr. *Evans*.] You state that you remained about 17 days in Paris; I suppose that the opportunities of observation which you mentioned would be those of seeing the general demeanour, and appearance, and dress, and so forth, of the working men in Paris during the time you were there?—Both in their shops and in the cafés, and in their amusements.

7900. You say that, on the whole, the impression was favourable?—As far as sobriety and remarkably good and orderly conduct were concerned.

7901. But I understand you to say that what you did not like was the ordinary work being carried on on Sunday the same as on other days?—As a working man, I should not like that to be habit in this country.

7902. It is a thing which you would not think it desirable to imitate?—I should not.

7903. Mr. *John Abel Smith*.] I do not suppose that you think that the people in France have more liberty than in England, do you?—In certain respects they have more; in others they have less.

7904. In what respect have they more liberty than in this country?—They have more liberty in the matter of enjoyment on Sunday; how they shall spend their Sunday is a personal question.

7905. You allow that the museums and such like places are open?—Not merely that, but there is less attempt to interfere with the individual by society, that is to say, with the rights of the individual man.

7906. Can you tell me what you mean by that, for I really do not understand; I do not know what attempt there is to interfere with the individual man in this country?—I think that this Bill is an attempt to say on the part of certain people what the other portion shall do.

7907. You mean with regard to drinking, that is an interference with their rights or an invasion of their liberty?—I do so.

7908. Is there any other matter that you allude to in that respect?—That is one portion of it so far as Sunday is concerned; but there are other objections besides the Sunday.

7909. This Bill does not go to any other legislation than the Sunday, does it?—It does; Good Friday and fast days.

7910. You object to those days being included?—The majority of the artisans work on Good Friday in Sheffield; I worked last Good Friday.

7911. Does this Bill interfere with that?—It would interfere with many of my fellow workmen who live perhaps four miles off; they cannot go so far to dine, and they get their dinner in a public-house.

7912. Do many men in Sheffield dine in public-houses?—A number of those who live in their freehold allotments in the suburbs always dine in the town, some in their workshops, and some go to public-houses.

7913. Do many go to public-houses for the dinner?—A good portion of those who do not live in the borough; but I may say that some dine in the town at an eating-house; that is becoming more common than it was; but as a rule the bulk of the artisans reside in houses in their own occupation.

7914. And they dine in those houses?—Yes; they dine at home.

7915. They are a very limited number, then, who go to a public-house for their dinner?—Yes; there are no lodgers much in Sheffield.

7916. Again I say there would be a very limited number that would be affected by this Bill?—That depends upon what you mean by limited. It would be a small per-centage of the whole population, but it would not be a small per-centage who leave Sheffield on Sunday to go into the country.

7917. And there is a large proportion, you say, of people who go out on Sunday to the country to the neighbourhood of Worksop and various places?—Yes.

7918. What time do those people come back is it between nine and ten o'clock?—I am sure I do not know what time the trains return; but I think the Grimsby trains used to come in later than 10 o'clock.

7919. Of course, if they go to Worksop, they go by train; but the general habit, as we have been told, is not to go out by train, but walk out or go in carriages?—There would be some carriages, but more pedestrians; that is the general habit of the working classes.

7920. What time do they come back generally?—It would vary; all hours; I could not say.

7921. They are generally all back before 10 o'clock, are they not?—No; because sometimes people will walk to Chatsworth, or to Castleton, or to Hathersage; they walk there in the morning. I have walked to Hathersage and attended the Church service on a Sunday morning.

7922. How far is that?—I think it is about 10 miles.

7923. What time did you get back?—About 10 o'clock in the evening.

7924. Then the public-houses being shut at 10 would be no inconvenience to you?—It was not to me, because I drink water.

7925. Are you a teetotaler?—I never was, but

at I was about nine years, and I did not drink any intoxicating drinks.

7926. I have no doubt, as your other evidence shows, that you are a person entitled to very great weight, and whenever you state a deliberate opinion, as you do here to-day, I am prepared to attach great importance to such evidence as you have given. With regard to the canvass which has lately taken place in Sheffield, I think you would that you had got it before you?—Yes, I have here.

7927. Have you the "Independent"?—Yes, I have the "Independent."

7928. Have you read the paper in which they state their opinion about the canvass in the leading article?—I have read it; but I know the working classes better than the editor of that paper.

7929. But it is a very respectable paper, is it not?—Very respectable, indeed; the editor is a personal friend of my own.

7930. He entertains the opinion, does he not, that it was a fairly conducted canvass; I do not think what its results were?—I do not think that uses that expression, he may do so.

7931. Mr. *Roebuck*.] Do you think it a fairly conducted canvass as representing the opinions of the town?—As far as the promoters, Dr. Sale, Mr. Flather, and the committee are concerned, I believe they intended everything to be right; but as far as its fairly representing the opinions of the working classes, I do not think it a fair one.

7932. Mr. *John Abel Smith*.] I quite mean what I am going to say, that I attach great importance to your opinion, and that I feel perfectly persuaded you have come here to give real, honest, and candid answers to the questions put to you, but you do believe, though it might not be its results prove much, that it was honestly and fairly done?—As far as the promoters were concerned, I believe they intended it to be perfectly honest.

7933. But you do not think that all their agents are accurate and careful?—I think not, by the results of the canvass varying so in different factories; if the people were left to themselves such could not be the case.

7934. But you still do believe that it was undertaken in a spirit of honestly meaning to get at an understanding of the inclinations of those men in those factories?—Yes.

7935. And that those were a fair representation of the trades of the town?—I scarcely think that the factories selected were a fair representation, as a whole.

7936. What have you to allege against them? I can only find one grinding wheel named as a grinding wheel. I am quite aware that the wheels are not canvassed, because I work at a grinding wheel. I find places where they employ perhaps six people, and I find one where there are only two voters put down their names. In crossing diagonally one street there are two grinding wheels; at one there are about 230 men employed, and at the other about 200, and neither of these were canvassed.

7937. I know that it is a fair representation of the whole opinion of the town, but you do not think that it is a fair representation of the feeling of the town, even as far as it goes?—Taking the works with which I am best acquainted, our own works, Messrs. Joseph Rodgers & Sons, I do not think it is a fair representation; it does not give a fair view of the feeling of the town.

anything like the number. That it was fairly done, I admit.

7938. You stated that there has been a great diminution of drunkenness in Sheffield. There have been great efforts made to reduce the amount of drinking and drunkenness which existed at one time, have there not?—We have a very energetic body of teetotallers who have done a great amount of good.

7939. Are those what are called temperance societies?—We have had a split in them. I think the temperance societies now are divided into a religious portion, and one which takes a more secular view of things.

7940. Can you tell me whether there is not a large society called the Temperance Society?—I believe we have the Sheffield Temperance Society, and we used to have a Little Sheffield Temperance Society, but I think they joined together, but I cannot tell at all who belonged to it. I do not remember the two names, but there is a Sheffield Temperance Society, and I say that many of them are very ardent teetotallers, and have been so for a great number of years.

7941. I suppose from your answers to me that you are very strongly persuaded of the evil consequences of indulgence in drink?—Most decidedly so.

7942. Both moral and social?—Yes; I should think nobody can doubt it.

7943. But you think that restriction has gone to the very utmost limit that you think can be fairly endured?—I think that it would frustrate the object which many religious people have in view.

7944. Independent of the religious consideration which you say yourself in your evidence you would exclude, but socially do you think that restriction has gone to the utmost limit at which it would be tolerable?—I am led to that from the action in our municipal elections whenever any one has come forward advocating restrictions, either Sunday closing on religious grounds, or taking up the question of the Permissive Bill, or anything like a Maine Liquor Law.

7945. They have always been rejected, have they?—Yes, and some good men too. I have not always voted for their rejection. I have voted for a gentleman at present in the room who has been rejected two or three times, and I should be very glad to see him in the town council.

7946. Do you recollect the Act of 1854?—I do.

7947. That was in operation for 12 months, was it not?—Yes, it was.

7948. Do you recollect any evil consequences resulting from it?—I remember a good deal of disapprobation on the part of the working men. I can give a remarkable instance that was told me by a fellow-workmen on Saturday. Two fellow-workmen of my own, two very intelligent men, who are in the habit of walking many miles, walked out on a Sunday, and they called at Beighton on their return. It was during the time the Act was in operation, and they were too late to have refreshments. I think the houses were closed at two o'clock, but they were too late, not dreaming but that they would be admitted as travellers, but there had not been those decisions on what *bonâ fide* means at that time. They started from Beighton, though they were much in need of refreshment; the rain began to descend in a perfect torrent, and they were thoroughly drenched when they got home, and my informer told me that the only punishment he should like to inflict upon

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upon the promoters of this Bill would be, that they should have a walk from Beighton hungry and tired in a storm like that.

7949. Were those the same parties that were mentioned by Mr. Beal?—No, not at all; they are a higher class than the "Wildbloods."

7950. In 1854, there was no public disorder in Sheffield in consequence of the Bill, was there?—We are not a disorderly town, and I do not think that there was any public disorder. I remember a public meeting to promote Sabbath closing in 1854.

7951. And that was a failure, was it not?—No, it was not, it was carried; that was a meeting of the Sheffield Temperance Association, presided over by the late Edward Smith, Esq., a very zealous supporter of all philanthropic movements. I remember that being followed by a motion in the town council for closing public-houses, and it was carried, but less than half the council voted on the question. Councillor Bassett brought it forward; he is a very zealous local preacher, and a man of good social position, and a zealous friend of education; and yet, the very November following, he was ignominiously rejected by the burgesses. Seventeen voted for Mr. Bassett's motion, 10 against one neutral.

7952. Mr. Locke.] What was the precise proposition, then?—To close the public-houses on Sunday; I would not speak positively from memory whether it was for the total closing, but my impression is, that the meeting of the Temperance Association was for total closing.

7953. That was a mere expression of their opinion; was any action taken upon it by the council?—Mr. Bassett brought forward that motion, probably influenced by the feeling of the meeting at the Temperance Hall.

7954. Then they carried it; did they take any further steps?—No, Mr. Bassett was put out on that question; the issue was raised upon Mr. Bassett's Sunday view. He has put up again, and been put out by a brewer; he had a colleague (a brewer) on the first occasion, but he was put out, and has been prevented from getting in by another brewer since.

7955. Mr. John Abel Smith.] After the opinions that you have expressed about Sunday working, have you any feeling for the great number of people who are employed in public-houses on Sunday?—I think that would rather be a religious question.

7956. I understood you to say that you object to any law which compels a man to follow his weekly occupation on the Sunday?—No, I did not put it on legal grounds; I think I put it on moral grounds.

7957. You may put it on any grounds you like; but after what you said upon the subject, have you no feeling for the number of persons employed in public-houses on Sunday?—I should try to set them a better example. The publicans would voluntarily close if people did as I do on Sunday.

7958. Then you would like to see the public-houses closed?—I should like to see them closed not actively, but passively; the publicans would close then themselves if people stayed out of them as I do.

7959. You wish to see them closed, but you

object to their being closed by law?—I think that gets beyond the province of the Legislature because it appears to me that the ground which Mr. Bassett put forward the Sunday question in the town council was, that we were a Christian community; and I think the danger, that if we are to begin to legislate to enforce the Decalogue you may take the seventh commandment, and why not take that as well as the fourth? Some of them are utterly impossible for the Legislature to enforce; you could not frame a law to convict for violating the 10th commandment. We are agreed upon the 8th, 9th, and 10th; there is no difference at all about them.

7960. Again, I say, whether on social or religious grounds, you would like to see the public houses closed, if they were closed in consequence of the temperate habits of the people?—Yes, because I should be glad to see the people become sober and prudent.

7961. But you object to that soberness being enforced by restrictive laws?—No, this is it; object to enforce my particular views on the conscience of another man. For instance, there are many habits that I think pernicious, such as smoking and snuff-taking, but I would not come and ask the Legislature to pass a law forbidding a man to smoke or take a pinch of snuff. I should like to put in one paper, as I have made a statement as to what I consider the great improvement in the social and moral condition of the people, shown by the Savings Bank Returns. In 1841 Sheffield had 5,284 depositors. I have been working man since that time, and that is why I take that time, and the deposits amounted to 161,000 £, that was equal to 1 £. 8 s. 10 d. per head of the population. In 1851 the number of depositors had increased to 8,346, and in 1866 to 19,581, with a balance due to them of 430,460 £. 18 s. 8 d. From the last Returns from the Savings Banks presented to Parliament for the year ending November 1866, divided by the population of 1861, because they were combined in the return so that it is the returns of 1866 divided by the population of 1861, I find that in the United Kingdom the deposits are equal to 1 £. 5 s. per head. In England and Wales they are equal to 1 £. 11 s. 4 d. In the manufacturing county of Lancashire they are equal to 1 £. 10 s. In Yorkshire they are equal to 1 £. 11 s. 0 ½ d. In Leeds, a highly moral town, they are higher, being 1 £. 13 s. 10 d. Sheffield, in 1866, divided by the population of 1861, with all its bad character, it is 2 £. 6 s. 6 d. per head of the population, so that it is far above the average. But to contrast it with Leeds, the metropolis of Yorkshire; in 1866 Leeds had 12,809 depositors, or one in 16 of the population, and the United Kingdom had one in 20; whereas Sheffield, in 1841, had one in 21 of the population, in 1851 it had one in 16 ½, and in 1866 it had one in 9 ¾.

7962. Mr. John Abel Smith.] I suppose with regard to those charcoal burners, you do not entertain any doubt that their burning charcoal is owing to their intemperance?—To some extent, in some cases it may be that they are inefficient workmen, but mainly it would be owing to drunkenness.

Monday, 22nd June 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. Berkeley.
Mr. Evans.
Sir James Fergusson.
Mr. Knatchbull-Hugessen.
Mr. Locke.

Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

MR. JOSEPH WADHAMS, called in; and Examined.

7963. Mr. Locke.] ARE you a member of the Birmingham Town Council?—Yes, I have been for the last 10 years.

7964. Are you a licensed victualler?—I am at a licensed victualler now; I was a licensed victualler for 20 years. I retired from that trade about four years ago.

7965. Are you president of the United Towns Association and National Licensed Victuallers' Defence League?—Yes, I have been about four years, and from its commencement, 15 or 16 years ago, I was a member of the committee of that association.

7966. What towns does that association represent?—At the present time it represents Aston, containing 95 licensed victuallers; Birmingham, 100; Burton, 80; Bath, 152; Bradford, 100; Coventry, 264; Derby, about 200; we have not an exact return for that; Dewsbury, about 200; Dudley and the district, about 255; Hull, 300; Leeds, about 400; Lichfield, 60; Lutterworth, 10; Northampton, about 100; Sheffield, about 100; Stockport, 136; Stourbridge, 58; Wolverhampton, 218; Walsall, 100; Warrington, about 100; Worcester about 150; Wednesbury, 70.

7967. Is Kidderminster one?—I have not got here in my list. The association numbers, in the whole, about 4,000 licensed victuallers.

7968. What are the objects of the United Towns Association and National Licensed Victuallers' Defence League?—There are associations established in most of the large towns for the protection of their trade interests, and the United Towns Association is the centre of those associations used to watch over proceedings in Parliament. Whenever any gentleman introduces a Bill into Parliament, affecting the interests of the licensed victuallers, the Bill is examined by them, and we are in communication also with the London association, and we communicate to the societies in the League, and, if necessary, we endeavour to take such steps as we deem proper for the purpose of averting, or, if possible, preventing or making our views known to the Members of Parliament, with a view of opposing, by petition or otherwise, such Bills as are introduced which are calculated to injure the trade to which we belong.

7969. Has the Bill which is now before this Committee been examined by your society?—

Yes.

7970. And have you yourself given your attention to the provisions of the Bill?—Yes, I have, and further, we have sent a circular which has been carried to all the towns in union with us, and we have received their replies. We find that the present Bill is a much worse Bill, more stringent, and affects the interests of the trade and the interests of the public considerably more than the Bill which we had to deal with last Session.

7971. Was that Bill introduced by the honourable Member for Chichester last year?—The same gentleman who has introduced this Bill: but this Bill prohibits the sale of ale, wine, or spirits upon the premises at all, excepting to travellers and lodgers, and persons with their meals. Last year, the Bill introduced by that gentleman was not so restrictive; it was restrictive in the hours, but it allowed the sale of ale, wine, and spirits, and proper refreshments, to persons on the premises.

7972. Mr. Yorke.] You describe this Bill as prohibiting the sale of liquors without qualification; that is not the case within the metropolitan area?—No, not within the metropolitan district, but it is so with regard to the country.

7973. Mr. Locke.] However, within the metropolitan district the exceptions are with regard to lodgers, travellers, and persons taking liquor for consumption during a *bonâ fide* meal?—Yes.

7974. It permits the consumption of wine, beer, or spirits during that meal?—Yes.

7975. You say that the Bill of last year permitted the sale of liquor, to be consumed off or on the premises, during the hours which the public-houses were allowed to be kept open?—Yes; I think either to be consumed off or on the premises.

7976. With regard to that circular which you spoke of, will you read it?—In order to ascertain the feeling of the towns which I represent, we sent a circular to those towns, and required their replies, which we have.

7977. Mr. Roebuck.] When you say the towns, you mean the licensed victuallers of those towns, and not the people of the towns generally?—Not the people of the towns generally. We sent it to the secretary of the Licensed Victuallers' Association

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ciation of those towns which I have named, to ascertain as far as possible if they had any objections, and what, to the Bill before the House, and ascertain their views, and whether there were any special reasons why this Bill would act inconveniently to the licensed victuallers. The questions put in the circular are these: "What are the feelings in your town, as far as you can ascertain them, respecting further restrictions on the time for the sale of liquors, &c., on Sunday, and especially the total prevention thereof upon the premises, as proposed by Mr. Smith's Bill?" That is one question. The next is, "What are the opinions of the trade, and how many of it (if any) close now the whole of Sunday?" that is to persons who are in the trade; how many close of their own accord on the Sunday. "Did any meeting take place for or against Wilson Patten's Act, when in operation, and what were the feelings or the expressions of feelings upon it generally, and especially by the Press?" "How many public-houses and how many beerhouses have you?" We asked the secretary to ascertain that for us; and also, "How many persons or traders besides the licensed victuallers and beersellers, such as omnibus, car, &c., drivers and conductors, &c., tobacconists, confectioners, fruiterers, and others are engaged in their occupation or business on Sunday?" "Do you intend offering any person or persons (or do you know of any person or persons who do) to give evidence against this Bill?" We received their replies, uniformly condemning the principles of the present Bill, and stating in various ways that it would operate prejudicially and inconveniently to the public in general.

7978. From all those places to which you sent, did you receive replies?—Yes.

7979. Mr. Roebuck.] Have you the reports with you from those places?—We have reports from most of them; their letters.

7980. Will you read one which you think fairly represents the reports which you have had?—Here is one from Dudley: "Sunday Closing Bill.—In reply to your communication, and in answer to the questions it contains in reference to the above Bill, the following information is to the fullest extent within my power relating to the town of Dudley: (1.) The members of our Society are decidedly against any further restrictions on the time for the sale of liquors, &c., on the Sunday, and the majority of the inhabitants generally are altogether opposed to Mr. Smith's Bill. (2.) The majority of the licensed victuallers are against Sunday closing, and only 12 close the whole of Sunday. (3.) I have no recollection of any meeting against Wilson Patten's Act. (4.) In Dudley there are 255 public-houses or licensed victuallers, and 100 beer-houses. (5.) Other trades, besides licensed victuallers, are engaged in their business on Sunday. (6.) Our society has no one to offer to give evidence against the Bill, nor do I know any others here who have;" and there are a number of letters, all to the same effect.

7981. Did any of them offer witnesses?—None of them; the names of persons have been sent to the secretary of the London Association, and some have been heard, I believe, and others will probably be heard.

7982. But they did not send any to you?—No, not to us.

7983. What is your own opinion with respect to this Bill?—My opinion with reference to the

Bill is, that the present law is amply sufficient for all purposes, if it is properly carried out but I believe it is not properly carried out. In my opinion, there is more drunkenness caused on Sunday morning within the prohibited hours a great deal of Sunday drinking takes place within the prohibited hours up to a certain time on the Sunday morning. I have conversed frequently with some of the principal persons in our town with reference to this very question and it appears to be attended with some difficulty as to carrying out further restrictions by the present police arrangements. As a licensed victualler, I know that when I was a licensed victualler, I neither did business myself in prohibited hours, and I knew a large number of persons who did not do business in prohibited hours, and we were very much annoyed at certain persons in different parts of the town who did do so, because it is very unfair for the trade for persons to be allowed (and if they are not allowed they are passed by) to do business in prohibited hours, while other persons are visited by the police pretty regularly and the evil is that persons, after the Saturday night's drinking, are drinking again early on the Sunday morning, and those are the persons who are taken into custody for drunkenness during the Sunday. From my experience, I believe that if a person is kept sober during the Sunday morning, and he dines with his family, and the afterwards takes a walk to a park, or a walk into the country, or a short trip by the railway, or anything of that kind, although he may call at several houses, or one or more houses, and take a little refreshment, that person never gets drunk. Then again, very frequently, the same persons who are habitually accustomed to get drunk on Sunday morning are the persons who are frequently before the police court over and over again. In order to prove my opinion that drunkenness has considerably decreased of late years, I applied at the office of the police at Birmingham, and, out of courtesy, they gave me the following return. I asked them for the number of persons charged with drunkenness between the hour of 12 at midnight on Saturday and 12 at midnight on Sunday during the years 1853, 1854, 1855, and 1856; that was during the operation of Mr. Wilson Patten's Act; of course, not the whole time, but it took in the time, and I also took last year, 1867, and up to the end of March in the present year. In 1853 the total number of cases was 148; in 1854, 145; in 1855, 149; and in 1856, 174. I did not go on any further until last year, for I did not ask for it, and I did not think it necessary but it is singular that the number of cases apprehended during this very last year was 174 precisely, the same number as in 1856; although during that time there must have been an increase in the population of Birmingham of from 80,000 to 100,000 persons; that, to my mind, clearly shows that drunkenness cannot be on the increase.

7984. Mr. Locke.] Has there been an increase of from 80,000 to 100,000?—Yes, I doubt.

7985. What is the population now?—The population at the present time is about 350,000; the number of cases in 1868, at the end of March, 39, and that multiplied by 4, makes 156.

7986. Do you deduce from that that drunkenness has decreased in Birmingham?—It must have

have done; and I consider that that is attributable to a variety of causes. I think not, by any means, to any restrictive measures, but to the establishment of various kinds of institutions in the town. We have, of late, parks; we have three parks; we have public libraries; and we have other scientific institutions; and I believe there is a general improvement in the character of the working people.

17987. Have you reading-rooms in addition to the free libraries?—We have three free libraries, and one central one upon a more extensive scale, making four free libraries, and four reading-rooms.

17988. For whom are those libraries and reading-rooms intended?—They are open for the use of the public in general, and they lend out books to any person finding a ratepayer to certify that that person is a proper person to be entrusted with the care of the book, and will take care of it; that is all that is required; and he has the loan of a book for a certain time, say a week.

17989. How are those institutions supported?—They are supported out of the public fund by the Free Libraries Act, which has been adopted by the town council within the last 10 years; I do not recollect the exact date.

17990. Can any ratepayer give an order to a working man to get a book?—Yes, to a man or woman. Of course they require some information as to who the parties are, and whether they are trustworthy, and whether they will take proper care of the book.

17991. Mr. *Yorke*.] Are those libraries open on Sunday?—No; they are not open on Sunday; the parks are open on Sunday, where people in large numbers go to take a walk with their families; and I have no hesitation in saying that yesterday, from 8,000 to 10,000 people visited Aston Park, and it was the same on Sunday week, because I happen to be chairman of the parks sub-committee, and I inquired for myself, and I found that between 9,000 and 10,000 people visited, yesterday, Aston Park; that park which was opened by Her Majesty some few years ago; and I have a return of the number of persons who have attended the three parks at Birmingham, and visited the hall, which is an ancient place of great interest, and a large number of persons walk through the hall, and although there is very little to see excepting a small museum and a few matters of interest at Aston Hall, yet the grounds are very nicely kept and much frequented; they are open on Sunday from nine in the morning till, at the present time, eight o'clock at night.

17992. Mr. *Locke*.] Do you say that the libraries and reading-rooms are not open on Sunday?—No, they are not open on Sunday.

17993. Why are they not open on Sunday?—I do not know the reason why, but I believe the council have not adopted it as a rule. I am not aware that they open any of them at all on Sunday; the question has never been raised with reference to Sunday.

17994. But the museum and the park was open on Sunday from the commencement, was it not?—It is open since it has come into the hands of the corporation; the corporation support the parks under the Three Parks Act. One park was kindly given by Mr. C. B. Adderley, one of the honourable Members of this House for our district of the county, and another has been given by Lord Calthorpe; he gave 30 acres of land; 0.69.

at least, as far as he was enabled to give the use of it during his lifetime, and we trust and hope that the present Lord Calthorpe will extend the same privilege to the town; and that park is used very frequently, as you will see. The number attending on Sunday only, from 6th January 1867 till December 1867, has been, as nearly as can be estimated—and it is a return officially made to the council from the Parks Committee—the number of persons amounted to 167,200 who visited Aston Hall; the number of persons who visited Aston Park is 354,000; the number of persons who visited Adderley Park is estimated at 135,510, and Calthorpe Park 233,290. I thought that it was my duty to show that the people of Birmingham did not sit in public-houses to drink, but that they went to those places which were afforded them with their wives and their children, but that after walking about an hour they require some little refreshment, and they call going home at different houses that I know, and take their glass of beer and their crust of bread and cheese, or anything of that sort that they might require. During the present year, from January the 5th to June the 14th, the numbers on Sunday only who attended Aston Hall were 86,900; Aston Park, 203,450; Adderley Park, 64,250, and Calthorpe Park, 148,330; that is the estimated number of persons who have attended the three parks on Sundays during the present year up to June the 14th.

17995. Is there any music in those parks?—None whatever; there is no attraction more than that Aston Park is very nicely laid out, round the terraces and round the hall, with floral arrangements; and they promenade among the trees, and walk about, and enjoy the fresh air. In Calthorpe Park it is only an open space, divided by walks. In the autumn of last year the committee planted an avenue of trees in Calthorpe Park; and Adderley Park is divided by walks, and there are also trees planted in Adderley Park. There is also the Whitton Cemetery, a very nicely arranged cemetery, beautifully planted; and the people take a walk there, and that is about two and a-half or three miles from the centre of the town.

17996. Do you think that the thousands of people who take excursions in those different parks on Sunday would be inconvenienced if this Bill were passed?—I think considerably so; because a person takes his dinner at home, with his wife and family; he then, about three o'clock, takes his walk, as many of them cannot afford to ride, and do not ride; they go to one of those places which are open, and they walk about, and enjoy the fresh air there for two or three hours; and they necessarily want some refreshment. They can get tea and coffee at one of those places, because there is a refreshment room provided in the park; but they sell neither ale, wine, nor spirits. There is another very nicely arranged place, which formerly formed part of the park, but which is now gardens, called the Lower Grounds, at Aston, and there they can get a glass of beer or a glass of wine, during the time which is allowed by law for persons to sell; that is to say, after five o'clock until I do not know how long the man keeps open; but it is generally well conducted, and attended by respectable people, and there is good order and regularity maintained there. I have no doubt that he sells until 11 o'clock, the proper time which is allowed by law; not at all times in the

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the gardens, because the gardens are closed at dusk; but there are other persons who go and sit down in the house, I have no doubt, afterwards. I have never been there; but I have no doubt that is so. Persons returning after walking about the park necessarily require some refreshments, and my opinion is that they should be at liberty to take them. I see a very great deal of that, having taken an interest in the park. I have walked down there on a Sunday, and I frequently go at other times, and I have never seen any pretensions to drunkenness in the afternoon; in fact, there are too many sober and well-conducted people to countenance it, and for that reason I consider that it would be extremely inconvenient were they not allowed to get, if they require it, a glass of ale or a bit of bread and butter, or a crust of bread and cheese, or anything of that sort, on their return. Then there is another mode in which the inhabitants of Birmingham enjoy themselves; they go out by railway. There are three lines of railway; the London and North Western, the Great Western and the Midland; persons go to Worcester and they go to Bromsgrove by one line of railway, and they go to Sutton by another, and Aston by another railway; and they also go to Solihull and Knowle by the Great Western Railway; a number of persons go out; it varies, of course, in accordance with the weather; on fine days a large number of persons go there. The last trains that come back arrive at Birmingham, one a little before 10 and the other a little after 10. Those people having been out there walking about and breathing the fresh air, when they come home probably require their supper, and they are persons generally who do not keep ale, or wine, or spirits in their own houses; the majority of them cannot afford it; so that they necessarily go to the houses in the vicinity of where they live, and buy what they want fresh. I have heard the argument used that persons could get it on Saturday night, but my own experience is that I prefer beer drawn fresh from the barrel, rather than have it bottled the night before.

7997. You are not singular, I believe, in that opinion?—No; those who understand what a glass of good beer is would prefer it, like myself, drawn fresh from the barrel.

7998. Probably teetotallers would not care whether anybody else had it fresh or not?—They do not take it themselves, and therefore they cannot be very good judges.

7999. You think that this Bill would be a great inconvenience to all those persons?—I have no doubt of it, for the reasons which I have set forth to the Committee.

8000. Do you remember the passing of Mr. Wilson Patten's Act in 1854?—Yes, very well. I was a licensed victualler then. In fact, I was one of the committee who took some part in opposing that Bill, or the Bill that was introduced, which resulted in the one which regulates the trade now. The Bill that was introduced was more stringent than Mr. Wilson Patten's; and when it was introduced by Mr. Wilson Patten, it was more stringent than the one that was agreed to.

8001. You mean the Bill that was introduced during the Session of 1854 by Mr. Wilson Patten, and the Bill which was altered and passed?—Yes; as introduced, it was more stringent than as it passed. We were advised by several friends that we conferred with, and honourable Members

likewise, to agree to the present Act; but from that time up to the present, we have been blamed for doing so. We were blamed for consenting to it; and although I do not remember that there were any public meetings held in our town, yet great general dissatisfaction was expressed not only by the licensed victuallers, but by the people at large; and at that time I was a licensed victualler, and knew it to be the case. Persons after they had been out on Sunday afternoon, and taken their walk at the present time of the year, would not call upon me until perhaps nine o'clock in the evening, and we found it was extremely inconvenient to request gentlemen to go away as soon as they had sat down perhaps at 10 o'clock, and I was very glad and so were the trade, and the people, as far as I became acquainted with them, were very glad when that law was altered.

8002. There were great objections made to you by persons living in Birmingham, as to the operation of that Act whilst it was in force?—Continually so by members of the trade, and by the public at large. The public do not believe that Parliament will pass such a restrictive Bill, but there is no organisation among the public and therefore it is necessary for an organisation in connection with the licensed victuallers, or some other body, to bring forward a movement in opposition.

8003. Do you consider that further restriction would tend to diminish drunkenness?—I do not think so; I say, unhesitatingly, that the present law in the restriction of hours is not carried out and if any means could be devised whereby better supervision could be established, during the present prohibited hours on the Sunday morning, it would tend to improve the condition of those persons who are disposed to get drunk for they are but comparatively few in our town. The working men, as a rule, are a respectable and intelligent class of men, but there are some who will get drunk, and who, after receiving their wages on Saturday night, cannot hold it in; they can get drunk, but I think that the whole community should not be blamed or inconvenienced consequent upon the few persons who are determined to get drunk, if they have got the means to get it. I think it would be a great benefit indeed to our town, and I believe the same principle applies to other towns, if some further or better means of supervision was established by the police force, in order to carry out the present law.

8004. What description of supervision would you suggest?—I do not think that an ordinary policeman is a man that should supervise houses of this kind. I think it would be better to have a superior officer for the purpose, because I have no doubt at all that there is a great temptation in the way of the police officer who goes to visit those places.

8005. You mean that he is tempted?—He may be tempted to receive money; I never saw it given, but he may be tempted to receive money or a reward to pass by one house, and visit others. In fact, I have known, personally, that houses have been so conducted, and I have reported them myself to the police, and others have done the same, and the superintendent has immediately sent another person upon that beat and detected the offence, but after supervision is passed over I have no doubt that they fall into the same error again.

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8006. You mean that the supervision should improved?—I think that the supervision should improved, and you would find it do more good the law could be strictly carried out on Sunday morning, as it immediately follows the Saturday night, when a man has perhaps had rather more drink than he ought, and but little to eat on Saturday night, and he begins to drink again if can get it on Sunday morning, and he does himself more harm, and that man continues in a drunken state all day, in all probability, and if the better supervision could be carried out, I think it would have a greater tendency to improve the condition of that class of persons than the Bill for further restrictions, because further restrictions means further evasions.

8007. Mr. *Roebuck*.] In giving the list of the names of towns in connection with your society, you did not mention York; can you tell me any reason why York is not one of the towns in connection with your society?—When our United Towns Association and National Licensed Victuallers' Defence League was first established, it was the only one, but since then there is another of a similar character in the Manchester district; it is established for the same purpose, but it is not included in our district. There are no societies now, and there are some societies which stand independent; Bristol, for instance.

8008. Then the answer would be, that York is not in your district?—It is not, it belongs to the Manchester district, which has a similar association for that district.

8009. I want to know how you make out your opinion as to drinking in prohibited hours; you say that drinking in prohibited hours in the earlier part of Sunday, leads to great drunkenness afterwards; how do you ascertain that that takes place?—From my knowledge of the trade. I am now following the trade of a maltster, and consequently I have to go in different parts of the town on Monday, Tuesday, and Wednesday upon my business, and I frequently hear of those complaints. Only three weeks ago a very respectable person who is a licensed victualler told me that three or four weeks ago, yesterday, just at the time she was opening her house-door at half-past 12 o'clock on the Sunday, and the people were coming from St. Thomas's Church, a person came up to the step at the moment; he was evidently tipsy; she saw it, and she told him that he could not allow him to come in. He began to swear, and was determined to do so, and he created a disturbance, so much so, that there were from 50 to 80 or 100 people assembled round, and she was obliged to send for the police. He did not tell me where the house was, but he told me that it was evident that there were houses open in the neighbourhood, otherwise this person could not have got drunk; and he was not only drunk, and there were other people passing, and she had to suffer this inconvenience, and no doubt the persons who were passing from St. Thomas's Church in the immediate vicinity supposed that she had been supplying that man with drink and had just turned him out, or something of that kind, and therefore she had to sufferodium for other people's misdoings; and I know that such a thing does exist in various parts of the town.

8010. I rather gather from your evidence, though you have not stated it distinctly, that there is some sort of improper dealing with the police to prevent complete supervision by the
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police?—I firmly believe that it is so; I have conversed with different mayors at Birmingham upon this very subject and they have said that there is great difficulty in carrying out the law, and I believe that you would require to have a considerable increase of police force to do it, but I believe that the best way of dealing with this question is to give the supervision of the houses to a superior class of men than the ordinary policemen.

8011. Could not the town council do that with their present powers if they pleased?—They could if they pleased.

8012. You being a town councillor, have you ever proposed that to them?—I should rather that some one else would do it. Then I would suggest, as individually I am here to give what my candid opinion is, and I hope it may be beneficial to them, that I am satisfied what I am stating is the truth, and I hope that some good result will arise from it. If you see policemen smoking cigars while visiting the houses, I believe they do not buy their cigars, but are given them, and they are given glasses of beer; in fact, not of late years, but frequently, men have been discharged for getting drunk in supervising public-houses.

8013. Seeing the inefficiency, even of the present inspection, do you think there would be any increase of inefficiency if greater inspection were required?—I think that, instead of giving a man who receives his 18s. or 17. a week the power to supervise houses of that kind, it would be better to give the power to a superior man at 30s. or 35s., because you would get a more responsible man, and the man, for his own sake, would pay more respect to his office.

8014. My question was, if the police be inefficient now, would they not be much more inefficient if they had a great deal more to do?—I am of opinion that it would be quite impossible to carry out any further restrictions, and that is why I said that any further restrictive measures would lead to considerable further evasions.

8015. So that this law, instead of being a restrictive law for good, would be merely a restrictive law for evil, by increasing the breaches of the law?—There is not the least doubt of it.

8016. Have you any mode of ascertaining the number of working men who attend the public libraries in Birmingham; has there been any account taken of them?—There are returns published; the Free Libraries' committee report quarterly. I did not think to bring the report with me, but it can be very easily furnished.

8017. Could you state what are the number of the working men who attend the libraries throughout the day?—I could not tell; it would be impossible for me to tell you; but I have frequently gone into the libraries when I have been in the neighbourhood, and I see the working men during their dinner hour run in there frequently and read the newspapers or books, and they eat their dinner there, and they stay there as long as they can, and then they go to their work. Other classes of persons go when they have an hour to spare, and I have never gone into either of the three libraries without seeing a number of persons belonging to the artisan class reading quietly either a newspaper or some work there.

8018. Has no right-minded man ever proposed to the town council to keep them open on Sunday?

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—The question was spoken about at first, but it was decided not to open them on Sunday.

8019. Do you know what reason was given for not opening them on Sunday?—No; there were some persons who objected even to the parks and the hall being open on Sunday, but, however, the question was carried, and the parks are open from 9 o'clock in the morning until 8 at night

8020. I gather from you, as far as I can understand, that there was really some opposition to opening those sources of instruction on Sunday?—Yes, there was, but that was some years since; I do not remember it precisely.

8021. You do not think that there has been any attempt of late to open them so that the workmen may improve their minds on Sunday?—No, it seems to go on very smoothly. They can get out on Saturday and read them at home, and therefore it appears to work satisfactorily; because persons would prefer going into the open air, and they either prefer going by a short railway trip, or a walk to some place and back again, or they go to the parks and back again, and walking back again they want some refreshment.

8022. But you know, in the winter, people cannot go into the country in the middle of the day with any pleasure when it is raining, snowing, and freezing with cold; do not you think that it would be an advisable thing to give them an opportunity of employing what leisure they have in the useful mode which a library would give them?—Yes, I do not object to it myself.

8023. You have paid a good deal of attention I have no doubt to your business, has it ever entered into your mind to get out any calculation of the quantity of capital employed in the trade of licensed victuallers in England?—I do not know what it is in England, but for my own satisfaction I got out the enormous amount of wealth which belonged to the trade which I represent here to day. The number of licensed victuallers that I have enumerated amount to 4,000, and if you take them upon the average of 500 *l.* each, that gives about 2,000,000 *l.*

8024. Supposing a Bill like this were to pass, what do you suppose would be the degree in which that 2,000,000 *l.* of money would be deteriorated?—Speaking of the loss that they would sustain through being unable to sell on the Sunday, it would be considerable; besides, they would have to keep the same staff of persons and pay them the same wages, and it would be a considerable loss; it might not be one-seventh, but it would be a considerable loss.

8025. Mr. Knatchbull-Hugessen.] Have you got any return of the amount taken by any particular licensed victualler on the Sunday, compared with other days?—No; that would vary according to circumstances. Houses in outlying districts, and in country and rural districts would do more business on the Sunday than on any other day in the week, but houses in the town would do but a small amount of business on the Sunday; but yet it would be extremely inconvenient if this Bill were carried, and it would be a loss to the persons who are doing business, and be extremely inconvenient to the inhabitants in the immediate neighbourhood, because people like to get what they require when they require it.

8026. With reference to an answer which you gave respecting persons who returned home, and who then, not keeping ale in their own house, go to the licensed victuallers for it; have you a return from any of the licensed victuallers' houses

in Birmingham, which would show that there is a considerable trade carried on upon that day, with reference especially to those persons?—I do not think it would be a considerable trade, but it would inconvenience the persons who lived in the neighbourhood, and it would have a tendency to produce evasions of the law. Supposing I was a licensed victualler living in the neighbourhood, although the law might require me to close at 10 o'clock, yet if my neighbour came from a 10 miles walk, and he wanted beer at his supper, I should be disposed to accommodate him, though I should know at the time that it would be contrary to law; and my reason for doing so would be this: that if I would not accommodate my neighbour at that time he would consider it a hardship, and he would go somewhere else during the weektime for his beer, and I should lose his custom.

8027. If you, who are a scrupulous person, would not scruple to evade the law in such a condition of things, you think that persons who are less scrupulous than you, who must be very numerous, would constantly evade the law?—I have not the least doubt of it; and it would be rather a matter of duty to do it, because if they were to offend their customers from time to time they would lose their custom altogether, and persons who would be more accommodating and less scrupulous than they are would have their trade.

8028. When you say that they would find it their duty to evade the law, that could only be on account of their believing that the law was of an extremely harsh and inconvenient character?—Precisely so, and therefore I think that the present law in my opinion is amply sufficient for all purposes, and it has been arranged from time to time.

8029. Mr. Evans.] How long have you lived in Birmingham?—I was not born in Birmingham, but I came to Birmingham about 45 or 46 years ago.

8030. Do you consider that Birmingham has become a more or a less sober place than it used to be in your time?—There has been a considerable improvement in the character of the working people. Before I was a licensed victualler I worked at a trade, and consequently am thoroughly acquainted with the habits, or what were the habits, of the working people at that time.

8031. To what do you attribute that improvement?—To the establishment of the institutions which I have named, the establishment of free libraries and other scientific institutions and the parks, and if men are induced to go to the parks to see the beautiful floral arrangements there, and to breathe the fresh air at the same time, I think they feel themselves invigorated by such scenes, and are anxious to go there again; I think that also education in general has tended to improve the condition of the working classes.

8032. In fact, I suppose you would be of opinion that the working classes are generally improved, and are improved in other things besides in the matter of drunkenness?—I am satisfied that that is so; I am satisfied that the same steady progress, if it is made in the same direction, will still further improve those persons that you are most desirous of dealing with, that is to say, persons who have not sufficient control over themselves; I mean persons who receive their money on Saturday night, and can scarcely hold it until they have spent it all, and who want legislating for.

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8033. Are there many working living in lodgings in Birmingham?—Not a very large number.

8034. Do you happen to know where those persons who do live in lodgings are in the habit of taking their meals?—They frequently take their meals in public-houses in their neighbourhood, or, if convenient, they go to the park, if it is in the neighbourhood; but the parks are a little too far out for that. But if they are builders, they generally sit down in the building, and send for some beer from the neighbourhood, and take it with their meals.

8035. In fact, I understand you to say, that there are not many persons among the working classes that live in lodgings, but that of those who do, some of them take their meals at public-houses, some of them take their meals in the park, and some of them on the premises where they are employed?—Yes. When I was a licensed victualler, 20 or 30 persons used to come during the dinner hour, and bring their meal and take it, and have their pint of beer, and at six o'clock go back to their work.

8036. Where would those persons take their meals on Sunday?—At their own houses.

8037. Is it a custom for a large number of persons to go out of Birmingham on Sunday by excursion trains or otherwise?—They do not go by excursion trains; they go by ordinary trains. I have not heard of any excursion trains, but a number of persons do go out; they either walk, or drive, or go out by railway.

8038. Mr. Baines.] You have mentioned that there is a want of supervision of the public-houses on Sunday; if there is not an efficient supervision, is it not very probable that the number of cases of drunkenness is really much greater than that of the persons apprehended and brought up before the magistrates?—As far as we are enabled to see, it is those persons who are apprehended. I do not suppose that the police apprehend all persons who get drunk on a Sunday, because they do not see them; but as far as the apprehensions go, this is a correct return which I have given, which shows that in 1867 there were only 174.

8039. I do not doubt the return; but my question was whether there may not be a very much larger number of cases of drunkenness; but the police wink at those things?—We have no means of ascertaining that.

8040. Is it not probable that it must be so; for instance, if a man is found drinking unto drunkenness in a public house, and if the policeman is bribed by cigars and beer, may he not overlook it, and leave that man there?—There is no doubt of it; and that is why I say that we require better supervision. If some better system was established it would be better, and would deal with the class of persons that this Bill is intended to improve, far better than by any more stringent measures which may be enacted.

8041. I have no doubt that you are perfectly correct in your fact, as well as perfectly honest, if you will allow me to say so, in your wish that drinking should be placed within the limits of moderation; but you have expressed an opinion that further restriction would do no good, and you have said that there would be evasion. I want to ask you whether, although there has been evasion in Scotland, as is alleged, yet whether you are not aware that the closing of public-houses altogether in Scotland really has had the

effect of very greatly diminishing the number of cases of drunkenness and the amount of liquor consumed on that day?—That is as far as the information which the public have generally received goes; but I am informed that although, since the Forbes Mackenzie Act has been in operation in Scotland, it appears that drunkenness has decreased, a considerable amount of private drunkenness goes on; that is to say, persons assemble, first in one house and then in another, and they provide spirits for that purpose. They drink privately, and consequently do not come under the eyes of the police at all, and there are no returns of them.

8042. Chairman.] On what information do you state that?—I have read from time to time reports upon the subject. I have no basis to give for it, further than that I have understood by my reading in the newspapers, and hearing the opinions of different persons from time to time during several years, that that is so.

8043. Do you mean general statements in the newspapers, or extracts from official reports?—Not extracts from official reports; but I have seen some of them.

8044. You mean just loose statements in the newspapers?—Yes.

8045. Mr. Baines.] You are aware that a Royal Commission was appointed which went over Scotland and examined into the fact, and after very careful examination they reported that the Act was working extremely well?—Yes, I have read that.

8046. Do not you think that we must attach reliance to that?—I attach great reliance to it; but still that does not alter the fact that I have heard from time to time that such is the case, namely, that private drinking goes on notwithstanding.

8047. But you are not able to show any authority for that?—No.

8048. A few years ago you are, of course, aware that the public-houses might be opened a greater number of hours on Sunday than they are now?—Yes.

8049. Do you not think that the restrictions which have been already imposed have done good?—When I first became a licensed victualler it was in 1844, and I think that about the year 1846 the metropolitan police regulations were extended to the country. Before that time any licensed victualler could keep his house open from Monday morning until Sunday night, with the exception of during the hours of divine service; and on Saturday evenings we were compelled to sit up; when I say compelled, there was great difficulty in doing otherwise, because persons would stay until 12, and even 1, or later than that; and we hailed, at least I did as a licensed victualler, and I know that I am expressing the opinion of others, we hailed with great pleasure the adoption of that law which required us to close at 12 o'clock on Saturday night. There is also a law, under which we are now regulated, which requires us still to close at 12 o'clock on Saturday night till 12:30 on Sunday morning, and then we open till 3 o'clock and close again from 3 till 5, and then open again from 5 to 11. Those things have done a great amount of good; but I think that they are very fairly balanced now, and they seem to work very satisfactorily.

8050. You do not think that further restriction would do more good?—I think not.

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8051. Mr. Hill, the recorder of Birmingham, is a man whom you know very well?—Yes, and I very much respect him.

8052. Do you know that he is of opinion that the closing of public-houses for the whole of Sunday will effect such a complete break in the drinking habits of men who are now hopeless drunkards as that it would be the means of reclaiming them?—I have heard not only Mr. Hill, but many other good persons, advocate those principles, but they are generally those persons who have got all that they require in their own houses; they are persons who have either ale or wine, or any other blessing that this world affords, and they have got it in their own houses. But, I apprehend, that the persons with whom the Committee desire to deal are more of the working classes and persons who do not or cannot afford to keep ale, wine, or spirits in their houses.

8053. But do you not suppose that Mr. Hill, when he expressed that opinion, was speaking of that very class, the working classes; I will read you just two sentences of a letter which he has addressed to this Committee, in which he says, "The Bill referred to your Committee, applies, it is true, to Sunday drinking only, but it is a great step to protect one day in the week from the fearful temptations which now pervades the whole year." Then with regard to the young, he says, "And it is frequently on that day that fatal indulgences are fostered among the young;" so that he must refer necessarily to the working classes and especially to the young amongst the working classes?—Yes, but for the working classes the only day they can go out for any recreation is Sunday. There are some persons who would prohibit any kind of recreation or amusement on Sunday, but I do not approve of that principle; working men have to work from Monday morning till Saturday night, and the only few hours during which they can have any recreation at all is on Sunday.

8054. We are not arguing about that now; we are simply arguing whether it is desirable to have the public-houses open, and whether there are not, as Mr. Hill here states, fearful temptations presented to many persons by their being open on that day?—If the houses were closed altogether, and persons could not get drink, of course everybody would be sober; but then we know that working men are in the habit of taking their beer in moderation; a large number of them take it in moderation, and they do not pretend, and do not get drunk at all. I am happy to say that a very large proportion of the population of our town are that class of persons, and I think that they should not be inconvenienced. They take their beer in the ordinary way; they do their work, and they take their beer at night; and I think they can take it, and I know that they do take it and enjoy it the same on Sunday as on any other day; and I think that they should not be prohibited from obtaining it.

8055. Then you differ from Mr. Hill in the recommendations that you make to the Committee?—I do most decidedly; I think that the steps taken by Mr. Hill, and other gentlemen, in establishing scientific institutions, reading rooms, public parks, and recreations have a better tendency to improve the condition of the working men than stringent laws; because stringent laws, which cannot be carried out, have an injurious effect upon the people; because it is

not fair to allow a large number of persons to do business, while the majority of them are disposed to obey the law.

8056. Have you many Sunday schools in Birmingham?—Yes, a large number.

8057. Do you approve of those Sunday schools?—Most certainly, and I support them.

8058. Are you aware what are the opinions of Sunday school teachers, generally, as to the public-houses being open on Sunday evenings?—Religious persons, in general, are disposed to close them, but they look at it in rather a one-sided way, I think.

8059. It is the fact, is it not, that they are generally opposed to the opening of public houses?—I have no doubt of it.

8060. Mr. John Abel Smith.] As an old publican, and having had great experience, can you tell me at all what proportion your Sunday sale bore to the sale on other days of the week?—As I said before, I do not think that it is one-seventh it may be one-fourteenth, but I have no means of telling. I do not think that any licensed victualler would look at the amount of business they do, so much as to the inconvenience to their neighbours.

8061. Then you do not think that it is a question in which the interests of the publican are greatly involved?—Publicans or licensed victuallers look at all this continual interference and harassing them continually Session after Session, with very great dissatisfaction. We have thought some years ago, and I say this, because I was on the committee who took a very active part with others to adjust what we thought the law, and on advice with others, we adopted some regulation which would be satisfactory to both parties, in the hope that we should not be harassed in this way, Session after Session, because it is very expensive and very annoying.

8062. May I ask you again to go back to this question, that this particular Bill before the Committee is not one which would greatly affect the interest of the publican?—It does most inconveniently, and for this reason; it is a worse Bill than that which was introduced last year, because it prohibits the sale of beer or wine or spirits on the premises altogether, and for that reason it is more objectionable.

8063. But I think you told me that the question of profit is not one which would move the publican very much?—At the present time I said that I do not think it amounts to one-seventh, but supposing it to be one-half of that, or one-fourteenth, it would be something considerable in their business during the year. They would have to pay the same amount of wages to their servants, and the same rates and taxes, and all those things.

8064. Do not you think that you would have better servants if they had some rest on Sunday?—No, I think that they are accustomed to it. They go out during the hours that the houses are closed, and they return to their duties.

8065. They are only closed two hours, are they?—Two hours in the afternoon, that is all. They go to church or chapel on Sunday morning, and those who do not do that, take a walk.

8066. You think that they do not require any further relief as to time?—I have never heard any objections to it; they engage to do the duty, and it comes as a matter of course. I do not think that, as a rule, persons keep so many servants employed on the Sunday as they do on other

er days; consequently, those who have a sufficient number, let one portion of them have the day's holiday occasionally; first one and then another.

8067. Then the way in which it would affect the publicans, as regards profit and loss, would be that a certain portion of the beer now sold on Sundays would be lost to them?—No doubt of

8068. Can you at all give me any estimate of what the loss would be as regards that portion? I could not tell; that would depend upon the class of house, and the class of business; one person might during those hours take several pounds, and others would only take several shillings; I could not give you any idea.

8069. With regard to the inconvenience to the public, admitting as I do very readily, very cheerfully and very fully, the admirable account which you have given of the public, and the conduct of those who visit those parks, would they be practically, by this Bill, be able to get what they wanted, if they wanted a glass of beer, say they came home between eight and ten; why could not this Bill meet that?—There are some persons who go there after dinner, at three o'clock; others at four; others at five; and others at six, so that there are always a number of persons going to and fro; consequently during the hours after five o'clock there would be first one and then another, and there would be a system of business carried on in supplying refreshments to a large number of persons one after the other: if this Bill passed they could not get a glass of beer at all.

8070. You mean till the time came for the opening of the house?—They could not get it on the premises at all. If I understand the Bill rightly, persons would not be able to get a glass of beer: If I went to Aston Park and walked back again, and if I had been walking from home to or three miles, and walking about for two hours on a hot day like yesterday, I could not get a glass of beer, at all, till I got home.

8071. Can you suggest any way of getting over that difficulty?—I would let the matter remain as it is.

8072. But supposing there was any legislation, can you suggest anything?—The best suggestion at I can offer is what I have already stated; and I believe that what this Committee is very desirous of aiming at is, to diminish drunkenness on Sunday, and, probably, drunkenness altogether; and the best way is, to endeavour to adopt better means of carrying out the present law. I believe that there is much drunkenness arising from drinking in different public-houses during the prohibited hours on Sunday morning; and the majority of those persons who get into the hands of the police are those persons who get drunk in the prohibited hours on Sunday morning.

8073. Were you not one of the gentlemen who had an interview with Mr. Bright some time since at Birmingham?—I was the person who conversed with him upon that subject.

8074. And what advice did he give you?—He gave us some very excellent advice, which we find that we cannot possibly carry out.

8075. What was that?—He advised us as a matter of course; but we seldom hear of persons acting in that way. He said that we should voluntarily come forward and advocate the same principle of further stringent laws to operate on ourselves; 0.69.

that was what he said, or that was the general sum and substance of it. He admitted that there was great difficulty about it; but he said that there would be great credit due to that individual who would propound some general system or general scheme, and would come voluntarily forward, and also advocate and endeavour to persuade others in the trade of licensed victuallers and beersellers to advocate a law which would close them up on Sunday altogether. That was generally looked over by persons with whom I am acquainted; but I have never found anybody who agreed with the suggestion made by him.

8076. Let us go to your mayor, Mr. Avery; did you hear or read his evidence?—Mr. Avery is a very excellent man and a gentleman.

8077. What have you got to say about his opinion?—I think that he was wrong in this, when he referred to a meeting over which he presided, an annual meeting of persons who were favourable to what is called the Permissive Bill, and which took place at the townhall.

8078. Do you believe that he made a misstatement?—I think that it was wrong in this respect, that he said that there were about 3,000 persons, and that they represented the working classes.

8079. Did he not state that it was a meeting called by him as the mayor?—I do not think that it was called by him, and I do not think that he said so; as one of the corporation I was invited to the meeting.

8080. He stated that it was a meeting called by him as mayor?—The way I understood it was, that he presided as mayor of Birmingham, but that it was called by the Permissive Association, and that it was their annual meeting. I had an invitation also. I do not think that he said that it was called by himself. Mr. Avery, I am sure, would not make a mistake knowingly, but I think he did make a mistake. I will tell the Committee another mistake that he made: he said that those 3,000 persons who were there present represented the working classes as a body; I think he was mistaken there, because they were a selected number of persons occupied in a very praiseworthy occupation as teachers in Sunday schools, and they were brought forward there as members of the Permissive Association by the religious communities of the borough of Birmingham of all denominations, and they could not, in my opinion, be considered as representing the body of 100,000 persons of the working classes.

8081. You contradict the fact, as far as your knowledge goes, that that meeting, as he stated, was attended by working men?—There were working men, young men and women, working men, teachers in Sunday schools principally, as I have said before; but to take them as a body they could not be considered, in my opinion, as representing the 100,000 of the working classes of Birmingham.

8082. You mean that they were not a fair representation of the general feeling of the town?—That is what I intend to convey; they were of the working classes, but they could not be taken as a fair representation of the working classes of Birmingham, because, as I said, they were a selected few; they were young men and women occupying their time and attention in a very praiseworthy occupation as teachers in Sunday schools, and well conducted people.

8083. How do you know that they were Sunday school teachers; what makes you say that?

—Because

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—Because I happen to go to St. Thomas's School in my neighbourhood, and I know that most of the ministers of religion of different denominations advise young men and women, and very properly so, to be moderate, and even teetotallers.

8084. But that is not an answer to my question. I ask you how you know that those who attended this meeting were, in any large proportion, Sunday school teachers?—By reading over an account of the meeting, which I did, I saw that many ministers of religion were present; and I presume that they were those persons.

8085. But you know nothing about it?—I know that much: I come to the conclusion that they were, because those associations are composed mainly of those persons.

8086. It is a general impression, for which you have no foundation except your general opinion?—I have seen them from time to time in other capacities, and I know some of them. I was not present at the meeting, although I was invited.

8087. But you know nothing about the attendance there?—No, I was not present.

8088. Do not you think that such opinions as Mr. Hill's and Mr. Avery's deserve attention on the part of this Committee?—I have no doubt of it; but still they entertain extreme views sometimes.

8089. You do not think that there are extreme views on the other side among the publicans?—By bringing such testimony as my own, when I come here to give what information I can to the Committee, in order that the Committee may arrive at some satisfactory conclusion upon the matter; that is all.

8090. Do not imagine that I am cavelling at your evidence; but you are in the position of Chairman of the Licensed Victuallers' Association, are you not?—Yes.

8091. Then I say that your opinions on the other side are open to question, the same as theirs are?—Exactly; and by hearing the two extremes the Committee will be able to arrive, I hope, at some satisfactory conclusion.

8092. You think that Mr. Bright's suggestion of your making some proposal, as a trade, is one that is quite out of the question?—I think that we should never be able to do it. I should not like to propose it myself.

8093. That, I think, is very likely; but do you think that it is impossible to get it done?—I think it is impossible to get it done, because I do not know who is to do it. I do not think that you would be able to get a large majority in favour of it; and therefore it would end in nothing.

8094. In your association that you have spoken of in the various towns, do you know whether any beershops are included?—No, they are licensed victuallers only; they have no connection with beerhouses at all.

8095. You do not admit any?—No, not into our association.

8096. Did you give the number of beerhouses in those towns?—Yes. There are about 1,300 beerhouses in Birmingham; but there are only about 700 licensed victuallers, within one or two.

8097. How many people are there in Birmingham?—350,000 is the estimated population.

8098. Then there would be one beershop or public-house for every 175 of the population?—Yes, and it is a great deal too many.

8099. How do they live?—Some of them live upon other people; a great many of them do. Some of them have been living upon me the last year or two.

8100. There must be a good deal of drinking to keep those people going, must there not?—Yes; if I were asked (but the Committee is not sitting here for the purpose of inquiring in that), I believe that I could set forth a plan that would alter it; but it is another question, and at the proper time I shall be prepared to do so, I think.

8101. But there must be a good deal of drinking amongst those 175 people to keep the beer house or public-house going?—They open beer houses now in such small places, that they only exist for a short time and shut again, and other open, and the revenue benefits by that process.

8102. You cannot get over the fact, that for every 175 people, men, women, and children there is a public-house or beershop; that does appear an enormous number?—Yes; that is the fault of the present law.

8103. That may be; but the fact remains the same, that that is the case?—Yes.

8104. I ask you whether there must not be an enormous amount of drinking to make a sufficient profit to keep this number of houses open?—Of course, there must be a large amount of drinking.

8105. On Sundays as well as on other days?—Yes.

8106. I suppose that you have not the smallest desire to encourage drunkenness as a habit amongst the working classes?—Certainly not. If there is anything that gives trouble to licensed victuallers, it is a drunken man.

8107. I quite agree with you, and I have not the least disposition to dispute it. My impression is very strongly, that that habit of drinking on the Sunday entails the drinking on the Monday and the loss of Monday's work; and that until the wages are pretty well exhausted, the man goes on drinking, if he begins on Sunday?—I do not think that that is the case now so much as it used to be; I think that there is considerable improvement in that respect.

8108. Do you think that that improvement goes to Saturday night also?—There is an improvement on the Saturday night and on the Sunday; but there are some persons who, as long as they have any money, will get drunk possible; and if this proposed law was passed, believe that those persons would get drunk.

8109. They could not get drunk unless the police were lax?—It is impossible to carry it out. You would require a policeman at every door to carry it out strictly.

8110. Of course, you are in favour of getting rid of the difference between a public-house and a beershop, as to the license?—Yes.

8111. You would put them all upon the same footing?—If I could alter the law to-morrow would suspend giving any more licenses; and where licenses were for the future granted, they should be the licensed victuallers' license. It would not interfere with those that are already in existence.

8112. You are in favour, are you, of free trade in selling beer?—Certainly not; that is not free trade.

8113. Mr. Locke.] With respect to beershop is beer the only thing that is sold in those shops?—No; under the Wine Licensing Act, which was passed a short time ago, persons have only

qualify themselves by becoming eating-house
ers, and sell a chop or a pork pie, or some-
of that sort, and then they can take out a
license as well as a beer license; and in
many instances they make themselves
as though they were wine and spirit

114. I do not mean to allude to beer and wine,
mean food?—Within the last few years, since
Wine Licensing Act has been established,
there are a number of persons who keep what
called a luncheon store, and they almost all
sell wine as well as beer, and they sell
a chop, or a sandwich, or a pork pie, or
something of that sort.

115. They do sell things to eat as well as to
k?—Yes, and that has increased the number
that are termed beerhouses now, because many
those that have been established within the
few years are of that class.

116. Are there persons who take their meals
those houses on Sunday as well as other days?
do not know that there are; I should think it
very probable that it is so.

117. Do any of the working classes take their
ds there, to your knowledge, on week days?
Yes, many of them, in various parts of the town
which are established in the neighbourhood of
ir manufactories.

118. Are they there supplied with beer or
he if they please, and food?—Yes.

119. What description of food?—Some cook
nts and others sell sandwiches; and various
ds of food are cooked, and they sell some small
tes for dinner.

120. That must be a great convenience to the
rking classes?—No doubt it is, but I do not
nk that those places are open so much on the
nday.

121. Are they closed on the Sunday?—Some
them are.

122. In addition to their selling food and so
rth, is it very frequent that the wife manages
e beershop?—Yes, and the man goes to his
ork.

123. The beershop very frequently is a small
ldition to the take of the family, to their sup-
ort?—Yes; they require to have premises
essed at 15*l.* in Birmingham; the evil is their
rking very small premises; they get other
remises put together in one assessment, and
ey then go to the excise and demand their
cense.

124. If they carry on a very small business,
hat would be in addition to the wages which the
aster of the house would be gaining elsewhere?
—Exactly so.

125. It is a supplement to what they are
arning?—Yes, it is so.

126. Then in point of fact, in those places as
ou have stated, the living of the persons who
keep them is not entirely obtained by the beer-
house?—No, certainly not.

127. In some of them they may gain very
ittle, and in others a good deal?—Some, I should
think, scarcely pay the rent of their establish-
ment.

128. But they must have a house to live in?
—Yes.

129. And they pay for it out of the man's
wages?—Just so.

130. That is to say, if they do not get it out
of the beershop?—Yes; they would have to live
somewhere.

8131. A great many wives of working men
keep shops of other descriptions, do they not?—
Yes; grocers' shops, huxters' shops, and drapers'
shops, and all kinds of little shops.

8132. And some of them prefer to keep a beer-
shop?—Yes; some of them prefer to keep a beer-
shop.

8133. And are they tolerably well conducted?
—Very many of them are.

8134. Do they sell good beer?—Some of them
sell very bad beer, and others good.

8135. That is like everybody else, is it not?
—Yes.

8136. Mr. *John Abel Smith.*] What do you
mean by bad beer?—Thick beer that is not fit
to drink.

8137. Do you think that there is anything
else that they put into the beer besides malt and
hops?—Not as a rule; there may be exceptions,
but not as a rule; I do not think by any means
that improper articles are used; I have heard of
none; I do not believe it to be a general practice.
In Birmingham most of the licensed victuallers,
or nearly all of them, are brewers.

8138. What is the wholesale price of gin?—I
have not bought any gin for some years, but I
think it is about 13*s.*

8139. What is about the retail price?—I do
not know.

8140. Do not you recollect what you charged
yourself?—Yes, we used to sell gin at 16*s.* a gal-
lon, I believe, but then we did not sell it the
same strength.

8141. What did you put in?—As much as it
could stand.

8142. Mr. *Locke.*] You stated with regard to
beershops and eating-houses that other articles of
food are supplied in them besides beer and wine;
is it the same case with the public-houses in
Birmingham?—Yes, but that depends upon cir-
cumstances; there are some licensed victuallers
who keep what are termed spirit vaults only, but
there are a large number in Birmingham who
keep what may be termed the old-fashioned
licensed victuallers' houses; general licensed
victuallers' houses.

8143. Who supply food as well as drink?—
They can have either bread and cheese, or a chop,
or as they used to do when I was in my house;
persons used to bring a steak or a chop, or a slice
of bacon or a slice of ham, at their meal time, and
it was usual to cook it for them. There was a
good fire provided, and a room, and chairs and
tables, and everything that they required.

8144. You afforded the convenience for a man
to sit down and cook his chop, and then you
supplied him with drink at his meal?—Yes; we
supplied him with a pint of beer, and those per-
sons became customers day after day, and some
of them we knew for years.

8145. Did those men ever come on Sunday?
—Those persons who took their walk after din-
ner on a Sunday, and who knew me, would come;
the same persons who attended my house on a
week-day, would come to my house on Sunday
afternoon; and so I presume it would be in other
cases, that a person would walk two or three
streets' length in order to go into a house that he
was accustomed to go to on a week-day; and I
have seen working men clean and tidy in the
tap-room, and the persons associated with my
house in various ways, by their friendly societies,
and other societies which we had; those persons,
if they went to Aston (and I was in the neigh-
bourhood

Mr. J. Wadhams. bourhood of Aston), they would come in at six, seven, or eight o'clock, and sit down and have their cup of ale and talk about anything for an hour or two, and with no pretensions to drunkenness at all; not the least.

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8146. If this Bill were passed it would be a great inconvenience to those people, would it not?—It would be a great hardship to them. I used on Sunday evening to be prepared to receive 6, 8, 10, or 15 persons of the same class that I speak of, the superior portion of the working classes, who would stop at home and have their dinner probably, and go to church or to chapel in the morning, and have their dinner at home with their families, and after dinner take a walk to the places which I have referred to, and on returning they would go home and have their tea, and then the man would come to my house while the wife was putting the children to bed, or what not, and spend an hour with me, and in the interchange of conversation upon any subject that might turn up.

8147. Mr. John Abel Smith.] Were those parlour guests or tap-room guests?—They were parlour guests that I associated with, but I have seen as good order in the other side of the house with the working men. My house was situated by the side of a number of manufactories, and I have seen a number of those persons, working men, come and sit down there and have their pint of beer, and conduct themselves with as much good order as they did in the room where I was with my friends, many of them scores of times.

8148. Mr. Locke.] You have been asked by the honourable Member for Leeds, with regard to the diminution of drinking in Scotland; are you aware that a very great increase has taken place in the duty upon whisky in Scotland?—I have heard of it, and I have had conversation with some friend from Glasgow.

8149. Do you know what the duty is now?—It is the same as in England, 10 s. per gallon.

8150. Are you aware that it used to be 3 s. 6 d.?—I do not know the exact sum, but it was considerably less than it is now.

8151. That would make a difference in the price, and when things are dearer and persons have not the money, the probability is, that they are not able to buy so much of the article though they like it?—No doubt about it.

8152. Would that diminish the quantity of liquor which was drunk?—Certainly it would diminish the quantity.

8153. If a man did not drink so much liquor, he would not get so drunk, and if there is a diminution in drunkenness, may not that in a measure be one of the reasons for it, that the liquor is dearer?—I should think so.

8154. Chairman.] Still the price of spirits is low enough to allow almost anybody to get drunk who likes, who has any money at all, is it not?—No, I think not; beer is the general article of consumption of our working men; in Scotland they drink more spirits, but I am not prepared

to speak with regard to Scotland so much as I am about Birmingham.

8155. My honourable friend was putting so facts to you, and asking you to make deductions from them, and you stated in answer to him that you thought that the present high prices of spirits must have operated, to a certain extent, to reduce indulgence in them?—To reduce drunkenness would do so, because if a person had but so much money to spend, and the article was nearly double the price, he could only have what his money would purchase; but I gathered this information some time ago from persons who reside in Scotland; they told me of this private drinking that was going on, as well as having seen statements in the newspapers and other publications with regard to it, that there was a great deal of private drinking in Scotland, and that those persons who come under the cognizance of the police, do not by any means represent the amount of drunkenness that still exists in Scotland.

8156. Mr. Locke.] A man drinking in a public house would stand a greater chance of being taken up by the police than a person drinking in one of those illicit places, would he not?—Exactly; they would not see him at all; they would be liable to be visited by the police in a public house, whereas in the case of private houses the police have no right to enter.

8157. And besides, the man who had been in a public-house would have to walk home, whereas the other man would not?—In all probability he would go out into the street, and there become more drunk, and get into the hands of the police.

8158. But if he got drunk in one of those illicit places, there is no reason why any one should know anything about it?—No, they would perhaps put him to bed, and the police would know nothing about it.

8159. Mr. Knatchbull-Hugessen.] You were asked about Mr. Bright's advice to you; did not Mr. Bright advise you, in order to stop agitation going on upon the question, to come to some amicable settlement with those who are seeking for further restrictions, and agree upon a compromise upon some fair basis?—Yes.

8160. Are you aware that we have had evidence given over and over again, that many of those who are promoting this Bill only consider this as an instalment of some much larger measure?—Yes, I have so read it.

8161. Therefore, if you were to support this Bill, you would have no hope that by so doing you would promote that amicable settlement which Mr. Bright advised?—I think it would not by any means settle the question, because this agitation has been going on a long time, and will continue, I think, after this.

8162. You do not support this Bill, not because it has anything to do with Mr. Bright's advice, but because the settlement which Mr. Bright wished to see would not be effected by it?—It would not be effected by it.

Mr. WILLIAM AITKEN, was called in; and Examined.

Mr. W. Aitken. 8163. Chairman.] ARE you a Schoolmaster at Ashton-under-Lyne?—Yes.

8164. What sort of schoolmaster?—An independent teacher. I keep a private school.

8165. Unaided by Government?—Yes.

8166. Mr. Locke.] Is that the only profession

that you have?—I sometimes write for magazines, and act as an accountant.

8167. Are you at all connected with the working classes?—Yes, I am auditor for one very large friendly society; and I am also secretary for different societies, and also largely connected with

the working classes in many ways in my neighbourhood for the last 35 years?—Yes.

38. Have you had opportunities of ascertaining the habits, wishes, and wants of the working classes?—Yes.

39. Have you taken any public part in any movements for their improvement?—Yes; I have taken an active part in wishing to see education advanced. I also took a very active part in reference to the abbreviation of the hours of labour; a measure which, I think, has done a large amount of good alike to the employer and the employed, and is satisfactory, I think, to all classes, both the employers and the employed.

40. Will you state what your experience is regarding to the progress that the working classes have made?—When I was a little boy such things as a child reading was almost unknown, boys who could work the rule-of-three were considered wonders. The great improvement that has taken place in the working classes during the last 30 years, I think is astonishing in every point of view, both in a moral and social point of view. For instance, the old factory system made us work on Christmas-day and Good Friday; all that is done away with now, I am glad to say.

41. Have you read the Bill which is now before the Committee?—Yes.

42. Have you given it your consideration?—Yes.

43. What is your opinion of the Bill?—My opinion is that the Bill which you are discussing is seriously inconvenient to the public at large. You must understand that I have no personal interest as far as the public-houses go; but it is so infinitesimally small that it is not worth talking about.

44. What is that infinitesimal interest?—It is this: we have an Odd Fellows' Hall in the borough of Ashton-under-Lyne, which was principally built by shares, and the lodge, of which I am a member, has 70 shares, at 2*l.* per share. There are about 80 members, so that my connection with the hall is my proportionate share in it.

45. Then you have a 40*s.* interest in it?—Not so much as that.

46. Will you go on to state the reasons why you think that this Bill would be most inconvenient if passed into a law?—In the manufacturing districts we are an aggregate of towns, and we are not entirely stationary people; a large number of people are compelled by force of circumstances to go from one town to another in search of employment, and those individuals at week's end often pay visits to their relatives and friends; and it is the opinion of a large number of the working classes in our part of the country that on that ground alone it would be a serious inconvenience if this Bill were passed. Again, I am quite in favour of a due regard being paid to the Sabbath, and I think that the restrictions which are in existence at the present time are sufficient for all purposes. I will suppose a case. Suppose, for instance, that I take a walk on Sunday afternoon for four or five miles, and on my return to the borough of Ashton-under-Lyne I find that I can have no refreshment upon the premises in the borough of Ashton-under-Lyne. I object to it on that ground. I object, again, on this ground: why should a distinction be made between the metropolis and the

provinces; that is another reason why we object to it, because what holds good to the provinces would equally hold good for the metropolis. These are the several reasons.

8177. Has drunkenness increased in Ashton-under-Lyne?—I should say, as a rule, the individuals who get drunk in Ashton-under-Lyne are the abandoned of the working classes. As a rule, all round about our part of the country they are not drunkards; indeed, they have neither the time nor the means to get drunk. From a return which I had yesterday in my hands from the chief constable, but which, unfortunately, I have lost, I would have given the Committee particulars; but I have lost it. But, speaking from memory, I should say that the number of apprehensions of individuals during the year 1867 for being drunk on Sunday between 11 a.m. and 11 p.m., amounted to 23 during the whole year.

8178. You stated that you have taken part in provident societies; do you consider that it is necessary that public-houses should not be closed no Sunday for the convenience of those societies?—As far as those large affiliated societies are concerned, they are already closed by the general laws of those societies. For instance, I am a member of an Odd Fellows Society, one of the largest in the world, and they transact no business on the Sabbath-day, but there are a large number of what are called burial clubs, which are spread all over the manufacturing districts, and the managers of those societies are all employed in the workshops or mills all through the week, and the subscriptions for those societies are all collected on the Sunday and paid into the hands of the treasurer on Sunday evening. If this Bill was passed, I do not see very well how those societies could carry on as far as the deposit of the money was concerned.

8179. Could not they have those subscriptions paid on some other night?—It answers them best to carry the business on as they do at the present time. They might do such a thing I dare say, but still it would be more satisfactory to them, and the feeling of all those whom I have come into contact with is to let the law remain as it is.

8180. Then you state that they would be inconvenienced if the system which they have hitherto adopted, were put an end to by this Bill passing?—Yes.

8181. They would be prevented from meeting on Sunday evening and paying those sums of money for the burial funds?—Yes.

8182. Are there any other societies besides burial societies who would be inconvenienced?—I do not know any other.

8183. Do those burial societies exist to a very large extent?—Yes, in all our manufacturing districts, in every large town.

8184. And it has been their custom to pay in those monies on Sunday evening?—Yes, to collect it on the Sunday, and to pay it to the treasurer on the Sunday.

8185. Are the subscribers to those burial societies more thrown together on Sunday than they would be on any other day?—They are more at home; the individuals who are subscribers are at home on Sunday, and there is a convenience in consequence of that in collecting the monies. If those societies are broken up or injured very materially, they would injure very materially the parish funds.

8186. Have you given your attention to the effect

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effect of restrictive legislation?—Yes; I can remember when public-houses were open during Divine service, and I humbly conceive that that was a very great misfortune. I think that the closing of public-houses, up to the close of Divine service in the morning, was a very great advantage decidedly, and I also think that the keeping of public-houses closed during Divine service in the afternoon is also another advantage, for I should be exceedingly sorry to see the same usage in our country as I have seen in others.

8187. But you think that that restriction goes as far as it ought?—I really do think so.

8188. Have you considered the arguments in favour of the Bill?—Yes.

8189. What is your opinion upon them?—One of the arguments is, that it would check drunkenness on the Sunday, but I look at it in this way: supposing, for instance, you closed the public-houses altogether on Sundays, are the gentlemen, who use this argument, quite sure that all the money that was saved on Sunday would not be spent on drink during other portions of the week. I answer that question by asking another?

8190. You think it is very doubtful?—I do; I really doubt whether if this Bill was carried into effect it would have the advantage which the gentlemen require, but rather upon the other hand I think it would be a disadvantage. I am of opinion that if you close the public-houses in our part of the country, on Sunday, you will cause what I call illicit drinking; that we should have what are technically known in our part of the country as hush-shops and black-hank-shops, and we should have a very large number of them established almost in every street. The meaning of those two phrases is simply this: that women and men would brew ale themselves, and sell it to their neighbours, and drink it in their cottage homes instead of drinking it in public-houses.

8191. Does that exist, to any extent, at the present time?—It used to exist, to a larger extent, than it does now; it is very little known in the borough of Ashton-under-Lyne, but still there is some little known, but very little I am glad to say.

8192. You think that if the restrictions that are contained in the Bill were enforced, those houses that you have spoken of, would be revived?—Yes, I think so.

8193. Therefore, in that respect, you think that it would be very detrimental to the sobriety of the people?—I think so.

8194. They would be more drunken than they are now, you think, instead of being less so?—Yes, that is my opinion.

8195. Is there any other reason that you have?—I think that the convenience of the people of England requires what they have at the present time; and as regards a very large majority of the working classes, that I have come in contact with in various parts of the four surrounding counties from whence I come, they are quite prepared to accept the law as it is, and they think that its restrictions are sufficiently stringent.

8196. Do you think that they are satisfied with the law as it is?—The large majority are; I may as well say that some of my friends who are teetotallers quite disagree with me; that is all right enough; they have a perfect right to do so, and I have a perfect right to disagree with them; some of my friends who are magistrates believe

that this Bill which you are now discussing is to pass, whilst a large number of other gentlemen who are magistrates believe that it ought not to pass.

8197. Therefore it is a matter of opinion. Yes, it is a matter of opinion.

8198. You have had experience in these matters; do you recollect Mr. Wilson Patten's passing?—Yes.

8199. Was it popular in the district of Ashton-under-Lyne?—It was very unpopular. I, one, as a citizen of this county, felt dissatisfied with it, and I know that it gave a very amount of dissatisfaction to the inhabitants round the neighbourhood where I live.

8200. Are you aware whether it caused any inconvenience?—Yes, it caused the same inconvenience as we have been speaking about just now; for instance, we conceive to be encroaching upon the liberty of the sun as far as it goes. Putting down drunkenness is one thing, and encroaching upon the liberty the subject is another; liberty may be carried too far, and restrictions may be carried too far.

8201. Can you mention any instances where individuals were inconvenienced in consequence of Mr. Wilson Patten's Act?—They were inconvenienced in this way, that they did not go out. I will suppose a case: suppose that I, my family had been taking a walk, that I might go right enough; very well; suppose that after five or six miles walk we wanted to get a refreshment, and at 10 o'clock you are ordered off, before you could sit down. We conceive that in our part of the country we know the inconvenience when we should go home; as far as that goes, it is a very great inconvenience at a decent hour, at any rate.

8202. You thought that you ought not to have legislated for in a manner that treated you as unreasonable beings, when you consider yourself as reasonable individuals?—Yes, we certainly think so.

8203. And therefore you objected?—Yes.

8204. Was this Act of Mr. Wilson Patten universally unpopular at Ashton-under-Lyne? As a rule, it was very unpopular.

8205. And it was repealed the next year?—Yes, it was repealed.

8206. Did its being repealed give satisfaction to persons at Ashton-under-Lyne?—Yes. I am very sorry that I have lost the figures that I got from our chief constable, Mr. Daglish, with reference to the amount of drunkenness on Sunday, but that of course I could not help.

8207. Before you came here to give evidence upon this Bill, had you any conversation with any number of persons at Ashton-under-Lyne upon the subject?—I had heard of it discussed in a great many places.

8208. Were there a number of people in Ashton-under-Lyne and the neighbourhood desirous that their objections to this Bill should be conveyed to the Committee through you?—There were.

8209. And did they express that wish to you?—Yes.

8210. Any great number of them?—Not a very large number.

8211. But those persons with whom you were acquainted were desirous that you should convey their objections?—Yes.

8212. They consider it then a restriction upon their privileges, which ought not to be imposed upon them?—That is their opinion. We consider it a restriction upon their privileges.

that legislation of this description is more a matter for social reformers at home, and for religious influence, and the influence of ministers of Gospel. That is the opinion of those individuals who are favourable to my side of the question; and certainly it is my opinion it is a question for the moral influence of all social reformers, such as ministers of religion, and other gentlemen who take an interest in the well-being of the working classes, than for legislation in the Imperial Parliament.

8213. That they should lead them by argument, instead of coercing them by sumptuary laws?—That is our opinion.

8214. Is that a general opinion amongst those persons with whom you come into contact at Ashton-under-Lyne?—I should think, amongst the majority of those with whom I have come in contact; and I should think the opinion of a very large majority of the people.

8215. *Chairman.*] How did you come to be a witness before this Committee; did you offer evidence?—No, certainly not.

8216. Who asked you first to come and give evidence before this Committee?—The question was discussed by a great many individuals in the neighbourhood; and I gave my opinion about it in several places; and I was asked whether, if I was summoned before this Committee, I would come; I said that it would be a matter of inconvenience for me to come; I should have to study it. After discussing it over, they waited on me again, and I came to the conclusion to come; and when I received your summons, of course I considered it my duty to come.

8217. I suppose that communication was made to some persons that you were willing to come, otherwise how did you come to be summoned?—I was asked to come, and I took time to consider, and then I agreed to come.

8218. Who was it, do you know, who sent up to London to say that you were willing to come?—I really cannot tell you that.

8219. In what company was it that it was proposed that you should come?—It was proposed in the company of the working classes.

8220. Since this Bill has been before the Committee, I understood you to say that you were acting in company, when it was proposed to you to come before this Committee; of whom did the company consist?—Of working men, and various other people.

8221. You were sitting amongst some working men?—Working men, and men of the middle classes.

8222. Where were you?—At the "Talbot" inn.

8223. Was it a meeting of the Licensed Victuallers' Association, or some member of it, who asked you to come?—It was a member of the Licensed Victuallers' Association who asked me to come, as well as other individuals besides.

8224. So that it was the Licensed Victuallers' Association, or somebody connected with them, who, knowing your sentiments, asked you as an independent person to come and give evidence before this Committee?—Just so.

8225. *Mr. John Abel Smith.*] You were at one time, I think, a factory operative, were you not?—Yes.

8226. Then what did you do?—I became a teacher.

8227. What induced you to change; was there any particular cause for the change?—Yes.

8228. What was it?—I took an active part in the shortening of the hours of labour, and I had some unpleasantness with my employer, and I commenced teaching in consequence of being out of work.

8229. Did you ever take any active part with regard to strikes?—I have taken an active part with the working classes in raising the wages of labour.

8230. And you, I think, were the workmen's friend, were you not?—I do not know that.

8231. Was not that your name?—I am not aware of that; I am not ashamed of it, and if you wish for any proof I could give it you, for I have it in my pocket.

8232. Did you not go to America?—Yes.

8233. What made you go to America?—It was in consequence of the turn out in 1842.

8234. What was your reason for going to America?—We had a strike in the borough of Ashton-under-Lyne and the neighbourhood, and I, unfortunately if you will, happened to make some speeches. That is about the truth of it. There is no very great crime in that, that I am aware of.

8235. You went away to avoid the consequences of the speeches?—Yes, I think that is the honest truth; that is right enough.

8236. When you came back from America, what did you do then?—I started a school again.

8237. Then you got into trouble, did you not?—No, I am not aware that I did.

8238. Did not Government take you up and prosecute you?—I was taken up by the Government, but they abandoned the prosecution.

8239. You were confined, I think, but you were never tried?—Yes, as a Chartist, I was.

8240. What happened to you then?—I got nine months' imprisonment for making a speech in the Market-place as a Chartist.

8241. *Chairman.*] The Committee consider that the questions are proper, because of the different value which may be attached to your evidence in the future; but, at the same time, they do not think that you can have any objection to these things being stated, because, I suppose you are not ashamed of any of these transactions?—I am not ashamed of being a Chartist. I am ashamed that doctrines were ever preached at any time, or language used, that should have led either me or any other person into trouble. I would submit to the consideration of the Committee that, as far as I am concerned, if you had my trial before you now, you would exculpate me for any language that I used that placed me in an unfortunate position.

8242. I presume that in any of those matters with which you were mixed up you expressed your candid opinions upon the questions of the day?—Yes, certainly.

8243. Consequently, in answering the questions which have been put to you, you do not consider that you have anything to be morally ashamed of?—I do not consider, so far as I was concerned, in taking part in political movements as I have done, that I have done anything wrong. I am not ashamed of my political party; very far from it; because I see that a very large instalment of these things that were wanted are carried now.

8244. In consequence of that being the view taken by the Committee, the questions will be recorded

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recorded as they have been put?—I really confess that those are questions which I think in my judgment do not bear at all upon this Bill. I certainly do not think that personalities of that description should be made use of. I have come to give my evidence to the best of my opinion upon this question, and when I have done that there is an end of the chapter.

8245. Mr. *Roebuck*.] Would you like to make some explanation in consequence of what the Chairman has stated?—I have no explanation to make. I consider such questions irrelevant myself.

8246. *Chairman*.] I should explain to you that the Committee have considered the bearings of the questions upon your evidence; of course, you come here to have your evidence quoted as having a bearing upon this public question. Persons who read your evidence may say, Who is this gentleman who expresses so strong an opinion upon this question? And the questions of Mr. Abel Smith make it appear that at some time or other you had been a strong politician?—I have a strong political feeling to-day.

8247. But those questions are only showing that you are a person who hold strong opinions; there is no imputation upon your character in the questions that have been put by Mr. Abel Smith, nor do I understand that you are ashamed of any part of your conduct?—I am not a bit.

8248. Then probably you do not complain of their being put?—I would rather they had not been put, because I think they have nothing to do with the question.

8249. Mr. *John Abel Smith*.] Do you know what the population of Ashton-under-Lyne is?—Yes, the population is between 30,000 and 40,000.

8250. Do you know how many public-houses there are?—About 82.

8251. How many beer-shops?—I think about 120, speaking from memory; I would not be positive about it.

8252. Altogether there would be 200?—Yes; I am not speaking positively as to the number of beerhouses, but I think I am correct as to the number of public-houses.

8253. That gives the same number as at Birmingham, about 170 people to every public-house and beerhouse?—Yes.

8254. Has there not been a canvass at Ashton-under-Lyne?—Yes, there has.

8255. Do you know anything about it?—Yes, there has been a house to house canvass. I had a paper left at my house, but it never was called for, but as to the result of that canvass, I have not seen what has been its result.

8256. You know that there was one?—Yes, but if it has all been taken in the same manner as mine has, I should say that it is a very incorrect one. I have heard a great many other individuals besides myself say that their papers have never been called for.

8257. You never heard the result?—I never have read the result.

8258. Is there any daily or weekly paper published in Ashton-under-Lyne?—There are two.

8259. Have they not noticed it?—Our local news, I scarcely ever read, to tell you the truth.

8260. You do not know that they have not mentioned it?—I do not know whether they have or have not, because I have not seen it.

8261. Can you speak from personal knowledge at all of the public-houses on the Sunday evening?

—Sometimes I go into them, and as far as anything that I have ever seen in them, the persons are generally well conducted. I do not remember ever seeing any person drunk on a Sunday night in the public houses; not for many long years.

8262. Is there any music?—No, there is music now; there used to be music; but when Mr. Hugh Mason was our chief magistrate, stopped it. I rather think it was through influence that it was stopped; it was stopped any rate.

8263. You do not know much about it?—I could not say positively whether it was he or not, but I rather think it was through his influence.

8264. Has there been any meeting in Ashton-under-Lyne against the Bill now before this Committee?—There has not.

8265. And no public agitation at all?—No, not a public meeting against it.

8266. Or for it?—Yes, one was for it.

8267. How was it attended?—I believe that the Town Hall was full in favour.

8268. Was the meeting in favour of the Bill?—Yes.

8269. And there has been no meeting against it?—None.

8270. Mr. *Locke*.] Have you anything that you wish to add to your evidence?—I do not know that I have anything to add.

8271. With regard to that question which was put to you with respect to a speech which you made in the market-place, when was that speech made?—In 1839.

8272. That is very nearly 30 years ago?—Yes. I was a very young politician then.

8273. A good many young politicians, before and since that, have got into a scrape, have they not?—Yes, I believe they have.

8274. And old ones too?—Yes, and old ones too.

8275. Do you recollect Sir Francis Burdett getting into a scrape?—I recollect reading about it.

8276. Nobody ever thought that he was anything the worse for that, I presume?—No. Mr. Cobbett got into a scrape, and Mr. Hunt, and great many others too.

8277. But the ministers who prosecuted Mr. Cobbett in the year 1830 rather got into a scrape too, did they not?—I think so.

8278. When he subpoenaed them all down to the Court of Queen's Bench at Guildhall, and examined them one after the other, the jury acquitted him; that was with regard to the Swinburn riots?—Yes, something of that kind.

8279. The people of this country have always entertained strong opinions, have they not?—Yes, I believe they have.

8280. And being a free country, they have expressed them?—Yes, and they have a perfect right to do so, legitimately and constitutionally.

8281. It has not been brought up against them all the rest of their lives, when they have conducted themselves as respectable people?—I certainly think that when things of that description have gone by so long, it is hardly worth while raising them up now; although I am very glad to see that a very large instalment of those principles has been carried to-day.

8282. How many points of the Charter have been carried?—A good many. No property qualification for one.

Mr. WILLIAM REA, called in; and Examined.

283. *Chairman.*] ARE you a Currier at Stockport?—Yes.

284. *Mr. Locke.*] What is the population of Stockport?—About 60,000.

285. What is the staple trade of the borough? The cotton trade.

286. How many public-houses are there in the borough?—There are 130 public-houses and 140 beershops within the municipal boundaries.

287. What is the state of drunkenness on Sundays in Stockport?—During this last year it has been comparatively little. There have been only 40 cases throughout the whole of last year and Sunday.

288. Are you identified with friendly societies?—Yes, I have always taken an active part in friendly societies in Stockport, particularly in burial societies, and the members of these clubs are very much against this Bill.

289. For what reason are you against this Bill?—The collectors of the clubs, going from door to door, get a good knowledge of those affairs by canvassing the members, and they are decidedly opposed to it, thinking that it will restrict their pleasure on Sunday particularly; not only restrict their pleasure, but restrict them in doing their business.

290. In what way would it restrict their business?—Because they meet on Sunday evening to hand over and reimburse the money. There are hundreds of pounds turned over by those societies during the Sabbath.

291. Is it necessary, for the carrying out of these societies, that they should meet on Sundays?—It is quite necessary, because, if they go out on Saturday, they cannot find the people at home; they are either gone to market or gone elsewhere, and if they were to go round on Saturday they would have likewise to go again on Sunday; but on Sunday they are sure of catching the head of the house (that is, the female) at home; consequently, they get the collections in much better.

292. They do not catch her in a public-house?—No.

293. Why is it necessary, for the object of catching the female at home, that the public-house should be open somewhere else?—The collectors then bring the money in to the managers, at five o'clock in the evening.

294. They catch the female at home, and they tell her that the money is to be brought in; is that?—No; they collect the money of her.

295. How does that apply to the question of public-houses being open on Sunday evening?—The collectors go to the public-house at five o'clock, and bring the money to the president, the secretary, and treasurer.

296. Then the money is collected through the town in the day, and they pay it in on the Sunday evening?—Yes; generally speaking, the treasurer of those societies is a publican.

297. Then it is necessary, you say, to have public-houses open on Sunday, in order to enable them to pay the money in to the treasurer on that day?—Yes.

298. Are there a great number of persons who bring money on Sunday evening to the public-house?—No; no one brings it there but the collectors.

299.

8299. How many of them are there?—We have a great many of them. I will read the list over, if you think proper. I called a meeting, when this Bill was brought in, being president of the Amalgamated Society, of the various societies, and those parties met to consider the Bill; and I will read the names of the various lots that there are. There were 14 societies, numbering 35,547 members. Those 14 societies called a meeting of their respective societies, and asked their opinion upon it; and they were unanimous that this Bill should be opposed, as affecting their interest.

8300. In what way?—In not being allowed to meet; they would then have to take a private room, or something of that kind, where they could meet and turn over the money to the treasurer.

8301. You confide in the landlord of the public-house as a safe man to entrust as treasurer?—Yes.

8302. Is it sometimes difficult to get a safe man?—We have not had much difficulty, because we get a bond from him as security.

8303. You get sureties?—Yes.

8304. But it is not every body who would wish to be surety for a man who is worth nothing?—No.

8305. Therefore, first of all, you have to get your substantial man?—Yes, just so.

8306. And then to get your sureties?—Yes.

8307. But if you do not obtain a substantial man you can get no sureties?—We generally bank our overplus, when there is more than 30% or 40%.

8308. What would be about the sum that you would entrust with the treasurer?—£. 30 or £. 40.

8309. And you find it convenient to entrust this money with the landlord of some public-house?—We like to do so, because we may be called upon, at any moment; when death occurs the people want the money, as soon as they can, to get him or her interred.

8310. And the landlord is always to be found at his house?—Yes.

8311. And those persons are very much opposed to this Bill, as it would interfere with the working of those societies?—Yes.

8312. Have you had any public meeting in the town on the subject of closing public-houses on the Sunday?—Yes, I believe there was one; and the mayor presided.

8313. By whom was that meeting got up?—By the teetotallers, and the Sunday school teachers.

8314. Did they circulate a bill throughout the town?—Yes, they had a house to house canvass.

8315. Were you present at that meeting?—I was not.

8316. Do you know anything about that canvass?—Yes; for instance, they brought a paper to me, and mine never was called for. I know a great many places where they called at the houses, and as the husband was not at home they signed it for the wife. The parties who went round to collect it signed it for them, whether they were agreeable or not. I know that, in many instances, where they signed it, the husband was of a different opinion.

8317. *Mr. John Abel Smith.*] Do you believe that

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that the wife's opinion was in favour of the Bill or against it?—I do not say that the wife told them. I think they were silent; and that when the man said, "What must I put down for you?" they put it down to their own liking, what it was.

8318. Mr. *Locke*.] The signatures were not genuine signatures?—They were not.

8319. You say that the persons who made the canvass signed the papers themselves?—They did.

8320. Are you quite sure of that?—I am quite sure of it; I could bring witnesses to prove it.

8321. Was that done in many instances?—In a great many instances.

8322. Do you recollect the number of the canvass?—No, I do not; I never saw it published.

8323. Are the habits of the working classes in Stockport improved with reference to drinking?—Yes; the intellectual and moral precepts of the people are a great deal better than they were; in fact, drunkenness does not prevail to a very great extent in the borough.

8324. You say that there were only 40 apprehensions for drunkenness throughout the whole year?—Yes; I had that from the chief constable of Stockport.

8325. Are you of opinion that the present state of the law works satisfactorily?—The present law works quite satisfactorily, and I think it is quite sufficient.

8326. Are you against any alteration in a law which works satisfactorily?—We are quite against any alteration of the law; we think it is quite right; it works very conveniently, and legislation has no business to take place upon it.

8327. In your opinion, the majority of the working classes in Stockport are unfavourable to any alteration?—Yes, quite so; we are quite competent to take care of ourselves.

8328. Mr. *John Abel Smith*.] How long have you lived in Stockport?—Thirty-six years.

8329. Had not Stockport at one time the character of being a very intemperate place?—I am not aware that it had.

8330. You never heard that?—No.

8331. At all events, now, I am glad to hear that there is a great improvement?—I think there is.

8332. First of all, I will ask you about your societies; what relation do you bear to those societies yourself?—I am president of the amalgamated societies, those 14, and secretary of one of the strongest in the town; 4,700 strong.

8333. They are for the various friendly societies, are they?—Yes.

8334. Do you know whom I mean by Mr. Tidd Pratt?—Yes.

8335. Have you ever seen his advice to friendly societies?—I have.

8336. Is not one of the articles of advice which he gives as a recommendation to friendly societies most particularly and carefully to abstain from all connection with public-houses?—Yes.

8337. Why do not you follow that advice?—We do not spend any money there, because in meeting there is neither smoking nor drinking, nor money allowed to be spent at them; we only get the accommodation.

8338. Have you read his advice which does not bear upon that, you know?—I have read his advice.

8339. You have not read it to follow it?—We

should be at a great inconvenience if we follow his advice; we should not know who to select for treasurers, or where to hold our meetings, anything of the sort.

8340. Would you have any greater inconvenience in that respect than any other society other places?—The clubs have been established so many years upon the same footing in Stockport that it would be a great inconvenience those men who collect this money work nothing, or nearly all of them, they go round rotation.

8341. It is the essence of all friendly societies that people work for nothing, is it not?—No.

8342. Those whom you speak of are none them paid agents?—No.

8343. And you could not find treasurers unless you went to the public-houses?—We think not.

8344. You deliberately prefer the keepers of public-houses as your treasurers?—Yes.

8345. With regard to the canvass, do you mean to tell me that it was dishonestly done? In many instances.

8346. Who were the persons who undertook it?—I do not know their names.

8347. Do you know Mr. Wood?—I know Mr. James Wood.

8348. You do not know him as connected with the canvass?—No, I do not know any of them; should be away at my work, and should not know who left the papers.

8349. You attribute carelessness to the persons connected with that canvass, because they did not call upon you for your paper?—Yes.

8350. Are you certain that they did not call?—I am sure they did not.

8351. There is somebody always at home, there?—Yes, my daughter is always at home.

8352. Does she never go out?—I think not very often, unless she leaves somebody else home.

8353. Because it has the character of being one of the most carefully prepared canvasses in England; have you not heard of that?—I have not.

8354. And you do not believe it?—I do not believe it, for I have known parties who have come to me and told me that their paper has been filled up unknown to them, and without their consent whatever.

8355. How do you know that the papers were filled up?—Because their wives had told them that those parties had filled up their papers.

8356. At the request of the wife?—No, without the request of the wife.

8357. Do you mean of their own accord?—Yes on their own account.

8358. You believe that, do you?—I do; I believe what I am told.

8359. But that is not carelessness; that is dishonesty, is it not?—Undoubtedly.

8360. You account for the large proportion of assets by the dishonesty of the canvass?—Yes.

8361. Can you at all prove that?—In a few instances.

8362. Do you know anybody who could give us information upon it?—Yes.

8363. Who is he?—I cannot give the name just at this moment; I did not expect to be asked this, or else I would have put them down.

8364. You cannot recollect the names?—I cannot just now.

8365. Not of any one?—No, but I could soon find them out and send them up from Stockport

8366. Who

366. What would they be?—Working men.
 367. I mean with reference to the unfairness the canvass, you could find them out and let me know?—Yes.
 368. Do you know at all how many house-keepers there are in Stockport?—Not exactly; think something like 5,000.
 369. Would it be 5,700 or 5,800?—Yes, something like that; it is upwards of 5,000.
 370. Your own personal objection to the Bill founded upon this condition of the friendly societies?—No, I have a great objection to it personally. I think it is very hard that a workman, like myself, who is tied all the week, on Monday morning to Saturday night, cannot stand and enjoy a glass of ale with my friends on a Sunday evening. I am not in the habit of getting drunk, and I should think it very hard if I was to be debarred from doing so.
 371. You go and sit there and talk to your friends?—Yes, we meet and converse upon various topics on Sunday, after church, at eight o'clock in the evening; perhaps a few friends meet, and we have a discussion even upon the sermon and the music; and from that we get to politics, but not in a greater number than one or two, and we think there is no harm in it.
 372. Do you go on Saturday evening also?—Not often; I do sometimes.
 373. And you do not see any drunkenness in the public-houses?—I do not. I do not attend any public-houses; but I do not see but very little drunkenness in the town.
 374. Is there any music at any of the houses on Sunday evening?—I believe not. I am not aware of any; indeed, I think not.
 375. That could hardly happen without your arising of it?—I think not. There used to be, but it has been stopped some years now.
 376. And the town is quite orderly in the evening?—Very much so indeed.
 377. There has been, you say, a public meeting held in Stockport?—Yes.
 378. Do you know how many attended it?—I do not. They said the room was full, but I cannot tell how many it would hold. I should think it would hold 500 or 600.
 379. Was the mayor in the chair?—Yes, the mayor was in the chair.
 380. Was it called by public advertisement or by order of the mayor?—By public advertisement from the Alliance.
 381. It was not a public meeting called by the mayor?—No, I think not, because the mayor

was to preside; there was a paper put up that the mayor would preside.

382. Then it was not strictly a public meeting; it was a meeting of the United Kingdom Alliance presided over by the mayor?—Yes.

383. Has there been any petition from Stockport?—Yes.

384. Was it largely signed?—Yes.

385. In favour of the Bill or against it?—Against it.

386. How many people signed it?—There was a public petition, signed by 3,000 people.

387. Did you sign it?—I did; and in the neighbourhood there was a petition with 1,933 signatures.

388. The total signatures were how many?—Four thousand nine hundred and thirty-three.

389. Who got it up; who took the trouble of doing it?—I really do not know who got it up; canvassers went round, but I never asked the question.

390. Who sent them round?—I really cannot tell, I am sure.

391. Was it the licensed victualler?—It may be for what I know; I do not know, I am sure.

392. Where did the petition lie for signature?—They went round in various places throughout the borough and district.

393. You do not know who paid them?—I do not.

394. You never heard?—I never heard.

395. Mr. Berkeley.] You do not appear to have that desperately bad opinion of licensed victuallers that the Alliance League appears to have; you have seen a great deal of preaching and statements about the country made by the members of the Alliance at Manchester?—Yes.

396. You have heard, I dare say, names and epithets bestowed upon the licensed victuallers?—Yes.

397. And you hardly believe that they do deserve such names as those that they are called by?—I think that some of them are a very respectable set of men.

398. You would think it rather a hard term to call them "the Ganymedes of Satan"?—Yes, I should say so.

399. Or "the cupbearers to the Devil"?—Yes.

8400. And it would be rather hard on them, would it not, to say that licensed victuallers' houses were "the vestibules of Hell"?—Very bad.

8401. And yet such epithets have gone about, as you are aware?—Yes, I am aware of it.

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Mr. JOSEPH HENSHALL, called in; and Examined.

8402. Chairman.] ARE you an Estate Agent at West Gorton, Manchester?—Yes.

8403. Mr. Locke.] Are you likewise a Sunday-school teacher?—Yes.

8404. What is the population of Gorton?—Over 20,000.

8405. What number of public-houses are there in the township?—Eleven licensed victuallers and 90 beerhouses.

8406. Have you a large public garden in Gorton?—Yes.

8407. Is that open on Sunday?—It is.

8408. Do people frequent it to any extent?—Yes; in Whit-week it was frequented by an average of 20,000 each day.

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8409. What are the number of churches and chapels in Gorton?—About 20.

8410. What is the average attendance at Belle Vue Gardens on Sundays?—About 3,000.

8411. What is the conduct and demeanour of the visitors at the gardens?—The conduct, I believe, as far as I can learn from Messrs. Demson's, who are the proprietors, is very good. They say that it is very seldom that a flower is plucked, or any disarrangement of the grounds at all, and that the people behave well. In order to show this, I have ascertained from the New Bailey, Manchester, during Whit-week, when there was such a large number of visitors at the grounds, there was not a single case of drunkenness brought

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before the Bench during the whole week, and there was, on the average, 20,000 visitors on each day in the seven.

8412. Have the people some recreation or amusements there?—Yes, there are all kinds of amusements; water, and boats, and everything of that description, and museums.

8413. Do you think that amusements of that kind are better calculated to repress drunkenness than restrictive measures, such as this Bill?—Yes, I should say so; I give that as my opinion.

8414. What do you think would be the effect of this Bill if it were passed into a law?—From the experience which I have had, and the expression of opinion that has been given at several meetings that I have attended on the Bill respecting the working men, they appear to feel themselves annoyed if there should be further restriction. They think that the result would be against rather than in favour of any improvement.

8415. What is the feeling of the working men with regard to the attempt to pass a restrictive Bill of this description; how do they express themselves?—I have heard this feeling set forth, that they do not see why the working men should be prohibited from getting a glass of beer in a respectable public-house on Sunday, so long as the club-houses in London are open. That is the remark that they have made; and I have also heard them make this remark in public, that they are trusted with the franchise, and if they are fit to be entrusted with that, they think that they ought to be entrusted with the conduct of themselves on a Sunday.

8416. Then they entertain the opinion that they are not children; that they have grown to their maturity, and are able to take care of themselves?—Quite so.

8417. And they do not care for anybody interfering with them and trying to take care of them in spite of themselves?—That is it.

8418. Do they think it very unfair and improper that for the sake of a few drunken people who cannot take care of themselves, they should be deprived of their privileges?—Yes.

8419. Do they express those views?—Yes; I may further give you that as my opinion of it from my experience. I have lived in the township about 18 years; when I first came, the population was only 3,000, and, of course, I have a good knowledge of Gorton, and I myself say there is very little drunkenness, particularly on Sunday, in Gorton. I believe that the greatest number of drunkards that I have ever seen has been between eight o'clock and half-past nine on Sunday morning, and I have ascertained from the police that they have in their books more cases that have been arrested between eight and nine o'clock in the morning than in any other period of the day.

8420. How do they or you account for that?—I can only account for it in this way, that they procure the drink from some low, what are termed, eating and beerhouses, and those sort of places which are allowed to sell beer. For instance, there is a description of license, I forget what the name of it is, that gives a person the privilege of selling beer almost at any time; I know that it is done, and I fancy they get it from those places. I do not think they get it from the respectable houses. In reading the paper I find that if a person gets fined for selling beer at an improper time, it is some of those parties to whom I allude; some of those beer-shop keepers.

8421. Supposing that the restrictions contained in this Bill were enforced, do you think that that would diminish drunkenness?—I do not; cannot see it.

8422. Do you think that it would increase it?—I believe that those parties whom I have noticed being drunk on a Sunday, are parties who would be drunk whatever restrictions there were; they would get it somehow. They are habitual drunkards, and they would get drink in some way, if the houses were closed.

8423. You think that if they cannot get it from a public-house, where the landlord is bound to keep order and conduct his house with propriety, they will go to some place to get it where there is no order at all, and get it in an illicit manner?—Yes, I think it would come to private drinking, and that, in my opinion, is much worse than drinking at a public-house. I have noticed this kind of drinking in some of the towns, particularly in Oldham, and I think that would be increased where they have what they term a private brew with a peck of malt, for instance, and drink it on Sunday. I think there would be more of that.

8424. Do the inhabitants of Gorton take a large interest in public questions affecting their social position?—Yes, they are very much improved in that respect lately.

8425. Do they take any particular interest in this subject?—Yes.

8426. Are there any meetings?—Yes.

8427. Social meetings?—Yes.

8428. And discussions?—Yes.

8429. Where are they held?—At various places. Some of them are held in schoolrooms and others, more particularly public meetings more immediately bearing on township matters, would be held at some of the respectable public-houses.

8430. You think that they are more sober and better disposed, and more intellectual, than they were formerly?—I am quite persuaded of it.

8431. And you think that they will go on improving?—Yes.

8432. Do you think that the present restrictions are quite sufficient?—I do in that respect.

8433. Do you approve of the present restrictions?—I do. Of course I pay proper observance to the Sabbath, and I have been connected with chapels and schools more than 25 years, and my experience is this, that on Sundays we have a larger number attend the evening service than at any other part of the day. I have ascertained that from every place of worship in Gorton; and that leads me to this conclusion, that if the public-houses are open on Sunday evening, it cannot be that that keeps them away from church, because there is a less attendance in the morning and afternoon when the houses are closed.

8434. Fewer attend in the morning and afternoon when the public-houses are closed, than in the evening when they are open?—Yes; and they are of that class that you would suppose go to a public-house in the evening, because the congregation in the morning are generally of a certain class.

8435. Therefore you think that whether the public-house is open or not, it does not influence those people?—As far as my feeling goes, in connection with Sunday schools, I do not think it would be any benefit or any gain; it would not induce

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duce any man to go to a place of worship if the public-houses were closed.

8436. Has there been a canvass at Gorton?—Believe a canvass was attempted.

8437. By whom?—I should think by the different teetotallers, or by the strong sabbatarian party, one of the two, I am not certain which; but it was a failure I am told.

8438. What do you call the strong sabbatarian party; is that what they call themselves?—I do not know. There are some of them who would not allow people to visit the parks, or have Sunday music, or anything of the kind; I think these are extreme.

8439. They would allow no recreation whatever?—Yes, that is so.

8440. They would give them the option of walking about the street, or going to church or chapel, or stopping at home?—They would wish them to go to chapel, of course.

8441. That would be the only place that they would permit them to go to, except their own homes?—Just so.

8442. Those are what you call the Sabbatarians?—Yes.

8443. Who are the others?—The Teetotallers.

8444. Are any of those Teetotallers Sabbatarians?—I should say there are, because they are the two extremes, and they generally go together.

8445. You say there was an attempt to get up a canvass?—Yes.

8446. Did it succeed?—No, it failed.

8447. How was it that it failed?—I suppose because they could not get signatures; I have heard but very little about it; I heard that there was an attempt made, but it was given up on some account.

8448. You never heard of any result?—No, I have never heard of any.

8449. How was it that you came to give your evidence before this Committee; by whom were you requested?—It was in this way: there was a public meeting called to take into consideration this Bill, and at that meeting on the ratepayers was informed that a copy of the resolution was sent up to each member of this Committee, and they asked me to give evidence here if I was required.

8450. How long have you lived at Gorton?—Eighteen years.

8451. How long have you been a Sunday school teacher?—Over 25 years.

8452. Have you any business besides house agent?—Yes, I have two shops; I have an ironmonger's shop and a stationer's shop; I have also built a large lot of property at Gorton, and I am agent for different gentlemen as well.

8453. These are your views with respect to this Bill?—Yes.

8454. You do not wish it to pass?—No, I do not.

8455. You think it would be a great injustice if it did?—Yes. I believe it would be a great disappointment to many respectable tradesmen, who know how to conduct themselves and who do conduct themselves with propriety on Sunday; that is my opinion.

8456. And to the bulk of the people it would be an inconvenience, and do them harm?—Yes, it would be so, I believe.

8457. *Chairman.*] Are you a Sunday school teacher in connection with the Church of England?—No, with the Unitarians.

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8458. Do you know if your sentiments are shared in by the members of your communion in your town?—By some of them; I have not consulted the whole of them upon the question.

8459. Do you think that you can say that you represent their sentiments at large, or any large number of them?—I am one of those that should not like to make an assertion of that kind, because I have not consulted them.

8460. Do you think that you are alone in your opinions?—As far as our religion goes, it is to this effect, that we ought not to inflict on another that which we would not like to be inflicted on ourselves; and that is the way I carry this out.

8461. I want to know whether you think that you are speaking the sentiments of many people besides your own?—I am not of a great number connected with our own chapel, but I have a sufficient knowledge of the sentiments of the township, as far as the ratepayers go, in public meetings.

8462. You think that a good many are of your opinion?—Yes; the majority.

8463. Do you think that you are rather opposed to your own particular communion in that respect?—I might be, no doubt.

8464. Do you think you are?—Yes, I dare say I am. As far as that goes, of course everybody has a discountenance to anything like a public-house being opened; that is to say, those who look at it from one point of view.

8465. And you will tell us equally whether you think you are speaking the mind of others as well as your own?—I do not think I am speaking the mind of the majority of the congregation that I belong to, because I have never asked them; so that I should be very sorry to say.

8466. *Mr. Locke.*] But you do not know that you are not?—No, I do not.

8467. *Mr. Evans.*] I understood you to say that in spite of the 11 public-houses and 90 beer-shops in Gorton, you consider that the place has improved with respect to temperance?—It has.

8468. To what do you attribute that improvement?—I attribute it to this, that men are becoming more educated and more enlightened; the people are much better taught than when I came to Gorton, and much better clothed, and they have time to visit the gardens also.

8469. You have told the Committee that you have been for many years a Sunday-school teacher; of course, we infer from that that you approve of Sunday-schools?—Of course.

8470. You think that they confer great benefit on the country?—Yes.

8471. *Mr. John Abel Smith.*] What is the provincial assembly of your church; what exactly is it; what does it represent?—It is the assembly of the various congregations of our denomination in Lancashire and Cheshire.

8472. Did not they hold a meeting last Thursday?—Yes, I believe they did.

8473. Did not they there resolve to petition in favour of this Bill?—I was not there. I saw something of it in the "Herald;" there was such a thing, I believe.

8474. You believe that there was?—Yes, I believe the report.

8475. And you believe that the representatives of your whole body in Lancashire and Cheshire did petition in favour of this Bill?—I cannot say that; I can only say that I read in the "Herald" that there was a majority in favour of it.

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8476. But

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8476. But the provincial assembly do represent your church in those two counties?—Yes.

8477. And you believe that they did petition in favour of this Bill?—Yes.

8478. Therefore, of course, in the opinions which you express, you do not agree with the more influential part of your co-religionists?—There would be only one representative of Gorton who went to that meeting.

8479. But the whole of the Unitarians in Lancashire and Cheshire were there represented?—Yes.

8480. And therefore if they were favourable to this Bill, you, in the opinions which you express, do not agree with them?—No.

8481. What is the government of Gorton?—A Local Board.

8482. Are any of them or all of them magistrates?—No, there are none of them magistrates, I think.

8483. Is there a separate Board of magistrates for Gorton?—No, offenders are taken to the New Bailey at Manchester from Gorton.

8484. Do you know anything of the feeling of the Local Board about this Bill?—Yes, the majority are against the Bill.

8485. Has there been any movement of the Local Board?—Not any.

8486. How do you speak of that then?—I speak from a private canvass, naming it to them that I had been summoned here, and asking their opinions.

8487. Who summoned you here?—The summons was signed by the Chairman.

8488. How did the Chairman hear of your name?—I told the Committee before that I was recommended from the meeting of ratepayers, and that the resolution of that meeting was sent to each member of this Committee.

Thursday, 25th June 1868.

MEMBERS PRESENT:

Mr. Baines.
Mr. Berkeley.
Mr. Evans.
Colonel Fane.
Sir James Fergusson.
Mr. Hibbert.
Mr. Horsfall.

Mr. Knatchbull-Hugessen.
Mr. Locke.
Mr. Malcolm.
Mr. Roebuck.
Mr. John Abel Smith.
Mr. Frederick Stanley.
Mr. Yorke.

SIR JAMES FERGUSSON, BART., IN THE CHAIR.

Mr. GEORGE CANDELET, called in; and Examined.

39. Mr. Frederick Stanley.] WHAT is your position in connection with the licensed victuallers?—I am secretary for the Manchester Salford Licensed Victuallers' Association, for the Provincial Licensed Victuallers' League; the former is a local society, but the latter is a unity of societies.

40. Can you state to the Committee, approximately, the number of persons who are included in the various associations which you represent?—The number of persons connected with the central society is 5,430, and those are spread in about 30 towns.

41. Will you give to the Committee the names of the towns which are connected with the central association?—Leicester, Oldham, Accrington, Lancaster, Burnley, Ashton-in-Lynde, Rochdale, Wakefield, Staleybridge, Middlesbrough, Bolton, Crewe, Stoke, Penhead, Loughborough, Macclesfield, Blackburn, Carlisle, Preston, Manchester, Bradford, Abury, Dukinfield, Glossop, Wigan, Chorley, Hanley, Burslem, and a number of other towns.

42. When was the Licensed Victuallers' Society instituted; and can you state to the Committee what the general objects of the Society were?—The local society, that is, the Manchester and Salford Association, was established about 21 years ago, and it directs its attention to the provision, chiefly, for old age, and for benevolent purposes, and is enrolled under the 11th section of the 18th & 19th Vict., chap. 1.

43. The association was not formed, was it, for the express purpose of opposing this Bill, or was it one of the same nature?—I may say that the central association has been in existence for 13 years, and that is chiefly for protective purposes.

44. Do you remember the passing of Colonel Wilson Patten's Act?—I remember the passing of Colonel Wilson Patten's Act very well, in 1854, and the Forbes Mackenzie Act passed in the preceding year, 1853.

45. Will you state to the Committee what your friends took upon that Bill of Colonel Wilson Patten?—There was very little action taken to prevent the passing of Mr. Wilson Patten's Act; but there was co-operation and

common cause made with the general public for the repeal of that Act; and in 1855 there were pretty nearly 40,000 signatures presented from Manchester, from the general public, praying for the repeal of that Act.

8496. You are aware of the hours of sale under the Act of George the Fourth, and the amount of alteration which was made by Mr. Wilson Patten's Bill, are you not; ninth of George Fourth, chap. 61?—I am.

8497. And are you aware of what is contemplated by the Bill before the Committee, with respect to the closing of public-houses on Sunday?—The present Bill limits the sale for the consumption off the premises in the metropolis to four hours, and in the provinces to three and a-half hours. In London, under a local regulation, the houses do not open before one o'clock; and it is the case also in Liverpool; but those are the only two towns that are restricted to one o'clock. In other parts of the country they close until the end of the morning service, which, generally speaking, is half-past 12.

8498. Are those persons whom you represent unanimous, as far as you are aware, in the view which they take with respect to the provisions of this Bill?—On the 5th of February in the present year we had a delegate meeting convened in Manchester for the purpose of considering the provisions of this Bill, when the following code of reasons against the Bill was adopted: "1. Because experience derived from the operation of Colonel Wilson Patten's Act, passed in 1854, and which was repealed in 1855, evidently engendered feelings of dissatisfaction amongst the working class, whose social comfort and sustenance were affected thereby: 2. Because the preamble of Mr. Berkeley's Act, the present regulation, and which was passed on the 14th of August 1855, sets forth that the restrictions previously in force have been attended with inconvenience to the public; this Act is based upon the evidence of metropolitan police magistrates and others, taken before a Parliamentary Select Committee, and who were anxious to be relieved from the administration of a law productive of anger and never-ending disputes, as to the true definition of a *bonâ fide* traveller; the present Bill will also create another legal difficulty as to what is a *bonâ fide* meal: 3. Because the present hours of sale in

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in the provinces require public-houses to be closed from 12 o'clock on Saturday night till half-past 12 on Sunday morning, and closed again from 3 to 5 p.m., and again from 11 p.m. till 4 a.m. on Monday. The present law has been found to work satisfactorily to the trade, and to the wants and conveniences of the public, and without interfering with a due observance of the Sabbath: 4. Because all legislative restraint averse to the disposition of the public, will involve the trade in expensive litigation, as means of gratification will be found, if not in public in private places: 5. Because further restraint, as proposed by the present Bill, implies an untrue imputation on the conduct and character of the working class, whilst it secures refreshment for travellers in the metropolis, but excludes them from this privilege in the provinces: 6. Because the present Bill will engender animosity between the police and the populace, who will hate them, as partisans of an oppressive law, instead of respecting them as protectors of their persons and their property: 7. Because no law can produce social or moral improvement, which depends upon force or police vigilance; people may be vexed, but not reformed by law, social and moral improvement being the work of the teacher and not of the legislator."

8499. The Committee are to understand that those are the objections of the trade, as far as you represent them, to the Bill now before the Committee?—I believe they are; at all events, they represent the opinions and the views of the delegate meeting which was held at Manchester, representing 30 important towns in various parts of the country.

8500. Are you aware that it has been stated to the Committee that drunkenness is on the increase in Manchester?—I am.

8501. Are you prepared to corroborate that statement?—I am not prepared to corroborate it; I have seen an account of the statistics which have been put before this Committee by Captain Palin, the chief constable of Manchester, and Captain Palin, in that sheet of figures, includes prostitution and disorderly carters, but since he gave his evidence, I should rather be inclined to say that they were not drunken carters, otherwise they would have been included in Captain Palin's statistics under the head of drunkenness, but he distinguishes them in the information laid before this Committee under three heads—drunkenness, carters, and prostitutes. I may say that immediately after I saw the report in the public papers of Captain Palin's evidence in reference to Sunday drunkenness, I went over to the Town Hall, and applied to them for the net figures representing drunkenness only, and I found that in 1862 there were 391 cases brought before the magistrates; in 1863, 435; in 1864, 467; in 1865, 549; in 1866, 760; and in 1867, 910. Those cases occurred between one o'clock p.m. on Sunday and four o'clock on Monday morning, and of course they were brought before the magistrates on Monday morning, but the Committee will please to remember that there is a very wide difference between cases and persons. Cases do not represent persons. It frequently occurs, as in the case of pauperism and crime, that the same parties frequently get into the hands of the police, and they are marked, I am afraid, in comparing statistics, as separate and distinct persons; I can give you one instance of a notorious character, a woman in Chancery-lane,

in one division of Manchester, who has been times in the hands of the police.

8502. Mr. Roebuck.] If she was brought on one day she would not be counted three times on that day, but merely as once?—As once.

8503. Therefore your observation does not apply to that?—It would be as once, certainly. I may say with reference to the increase of drunkenness, that a great deal depends upon the temper of the local authorities, and particularly so when the police are sometimes encouraged from the bench. The police are not very apt in taking a hint from the authorities, as they are operated upon by the watch committee, and the watch committee, I regret very much to say, influenced, to a very great extent, by the agitation which has promoted this Bill.

8504. Mr. Frederick Stanley.] You are aware that there is a very wide discrepancy between the figures which you have given in to the Committee, and those which have been given in by Captain Palin?—Yes, I am aware of that; that is accounted for from the fact that this Bill is confined to drunkenness only, whilst the other includes the carters and prostitutes.

8505. Are the figures which you have given authenticated?—Yes, by Captain Palin himself.

8506. When did you receive them from the office?—A few days after he had given his evidence.

8507. Mr. John Abel Smith.] What did you ask for?—For a return of Sunday drunkenness between the hours of 1 p.m. on Sunday, and 4 p.m. on Monday morning. The answer which I received from Captain Palin was, that there was no standing record of this description, but that he would put a clerk on to the books and endeavour to supply me with the figures. I endeavoured to show Captain Palin that it was unfair, when legislation was contemplated, such as the present Bill, to put statements before the Committee in reference to an increase of drunkenness, which included other offences. Perhaps the Committee would allow me to say, that I do not for one moment think that there is a more impartial public officer in connection with the police force than Captain Palin, or a more gentlemanly man—a man who is disposed at all times to do that which is right between all parties. I merely wish to explain, and, if possible, to show, how the increase of drunkenness has accumulated.

8508. Mr. Frederick Stanley.] As far as we are aware, the same sources of information were open to you as were the foundation of the evidence which was given to the Committee. Certainly.

8509. I believe there are now some few publicans in Manchester who close their houses voluntarily on Sunday?—There are a few who close their houses voluntarily on Sunday, but they are chiefly persons who have accumulated an independent fortune, and they now, I am sorry to say, think more of their own ease than they do of the public convenience.

8510. Has that question ever been brought generally before any meeting of your society?—Yes; on the 5th of February in the present year, when that Code of Reasons was adopted against the present Bill.

8511. Can you state to the Committee whether there was any considerable division of opinion upon that subject, and some in favour of closing the houses providing it was unanimous?—I am not aware.

there was a dissenting voice against adopting the resolutions; in fact, I may say that the Bill which has at all times actuated the trade is a part of the country which I am connected with has always been based upon the experience derived from the operation of Mr. Wilson Patten's Bill; the difficulty that there was as regards interpreting the law in a uniform manner as to the meaning of the term *bonâ fide* traveller. That was so frequently before the superior courts in London, and almost constantly, during the operation of that Act, before the local police courts, that there were no two similar ways of interpreting what was a traveller; and, therefore, they were anxious, in opposing this Bill, to avoid the recurrence of similar litigation.

512. There have been no decisions so far in the courts which would give the trade any notion of what might be considered legally a *bonâ fide* traveller, have there?—No; that question is quite new. As to the question of what is a *bonâ fide* traveller, I think that has occurred for the first time in the Bill promoted by the Honourable Member for Chichester.

513. As far as you are aware, that would be a good deal of doubt in the minds of the courts, would it not?—Of course it would.

514. And probably end in a great deal of litigation?—Yes, it would cause a great deal of litigation.

515. Have you ever had your attention directed to the question of a six day's license?—No; I believe the first time that the question of a six days' license was brought under my notice was by the Honourable Member for Oldham. It was some five or six years ago, at a public dinner, and as I understood the Honourable gentleman at that time, his idea was, if a six day's license was established, to increase the present license duty for those who kept their houses open; but for those who closed them that the price should remain as it is. There would be very strong objection on the part of the trade to that, it might be acceptable to the Chancellor of the Exchequer, who is always looking out for new taxes, but it certainly would not be very agreeable to the overworked licensed victuallers.

516. It would be equivalent, would it not, to the majority of cases, to raising the price of a license?—Yes; it would.

517. Have you estimated at all the value of the capital now embarked in the license victualling trade?—The capital is estimated from all sources at about 90,000,000 £.

518. Mr. Roebuck.] Is that in the United Kingdom, or in England?—In the United Kingdom.

519. Mr. Baines.] Does that include beer shops?—Yes; from all sources.

520. Mr. Frederick Stanley.] And therefore the pecuniary loss would be very serious which would be incurred by any disturbance of the trade in so large a proportion of its weekly use? I look upon the present Bill as being a bill which would close the houses all day on Sunday, though only providing for a few hours for consumption off the premises; as regards the profits, we view it as a total closing Bill. I could say there would be a loss of 8,000 £ per week to the 5,430 licensed victuallers connected with the Provincial Licensed Victuallers Defence League. The Bill would cut down the trade even weeks in a year, and if you take it into consideration, that there would be no proportion.

tionate reduction in the cost of management, such as rent charges and charges for servants, as a matter of course, it is quite perceptible that a very great sacrifice would be made. I may say with respect to those houses, which are used in the out districts by the public on a Sunday in connection with cheap excursions and so forth, you might as well close the houses altogether if you took away the business done on the Sunday.

8521. It has been stated to the Committee that if the houses were closed on Sunday there would be a diminution of trade upon the other days also; do you concur in that opinion; that is to say, that a customer frequenting a public-house, finding it closed upon the Sunday, would be likely to transfer the custom elsewhere during the week?—I do not think that would be the case. I am aware that it has often been asserted that there are a great many licensed victuallers who would be glad if a general law were passed to make it compulsory; but all my experience as secretary connected with the trade goes to prove the reverse. I know of no such general feeling.

8522. Mr. Roebuck.] I do not think you quite understood the question; it was, whether the houses that were closed on Sunday would lose their custom during the rest of the week?—Yes, of course they would.

8523. Chairman.] You say that you pointed out to the chief constable of Manchester that his return was unfair as descriptive of the state of Manchester as regards drunkenness, inasmuch as he had mixed up with his return of persons charged with drunkenness those accused of other offences?—Yes.

8524. But did you understand that in Captain Palin's return for the last two years he had included all the refused charges; that is, those of which the police took no further cognisance; whereas in the former years those were not included?—I did not know that.

8525. If you were told that, and that that, according to Captain Palin's statement, accounts for the greater number in these last two years, do not you think that that would remove a part of the unfairness?—Yes, precisely so.

8526. Mr. Knatchbull-Hugessen.] Did you take an interest in friendly societies previous to your official connection with the licensed victuallers?—I did.

8527. You were in a position with reference to them of some trust, were you not?—I may say that I took a very lively interest indeed in promoting legislation for an improvement of friendly societies, in conjunction with a late Member of this House, the Right Honourable Thomas Sotherton Estcourt, the Member for North Wiltshire, and immediately that improved legislation was adopted, I was presented, through the medium of 13 Members of Parliament of the Upper and Lower house, amongst whom was Earl de Grey and Ripon, Lord Egerton of Tatton, the Earl of Donoughmore, Edward Ackroyd, Esq., Sir Alexander Ramsay, and the Right Honourable Thomas Sotherton Estcourt himself, with the watch which I have in my pocket, and upon which is inscribed "Presented by the members and friends of these institutions for past meritorious services in promoting useful legislation" at a public dinner, in Rochdale, on the 9th of October 1858. My connection with those societies enables me to know that such a Bill as this would

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very materially interfere with the management of those societies on the Sunday.

8528. Bearing in mind that this committee has had recalled to it the advice which Mr. Tidd Pratt gave to those societies, will you be good enough to state, in your opinion, why that advice is not such as would be beneficial to friendly societies, and how far the action of this Bill would be damaging to them?—Mr. Tidd Pratt, though he is the Registrar General of Friendly Societies, and it is presumed would possess a great deal of experience as regards the management of friendly societies, often acts very inconsistently; and really, when his ability is tested, it is found that he knows really and truly nothing at all about the requirements or the necessities of those institutions. I am aware that he has endeavoured to withdraw friendly societies from public-houses altogether, because there are some exceptional cases of mismanagement; but that occurs amongst life insurance companies, and limited liability companies, and other institutions that are managed, not by the working class, but by the upper class.

8529. Will you show us the precise manner in which this Bill would interfere with the management of friendly societies, and why it is that their connection with public-houses is desirable?—Friendly societies, to a great extent, have been nursed and matured in public-houses. We have a perfect network of children and adult sick and burial clubs all through Lancashire, who are necessarily compelled to meet on the Sunday evening; and through the day they are obliged to collect the contributions from the members of the societies who are confined to factories through the whole of the week. It would be almost impossible for the money to be collected on any other day; and, if this Bill should prevent consumption upon the premises, to a very great extent the usefulness of those institutions would be impaired.

8530. Mr. Roebuck.] Why should not those institutions meet at a private house?—I do not think that that plan would be so successful. I see no objection against their meeting in private houses; but I can see no objection to them, or mischief that arises from them, meeting and doing their business in public-houses on Sunday evening.

8531. Mr. Knatchbull-Hugessen.] Do those public houses afford facilities which are taken advantage of to a very large extent, for the necessary meetings of those different friendly societies?—Yes.

8532. And have there been practically any complaints as to the working of those friendly societies having been injured by their meeting at those public houses?—I am not aware of any.

8533. Have you any knowledge of the public-houses, and of the state of society in France, with regard to the question?—I have sometimes been over on pleasure excursions, but recently I went over for a day or two to Calais, which is a garrison town, for the purpose of observing the Sunday in that country, and since I left I had a letter addressed to me by one of the trade, which with the permission of the chairman of the Committee I will read. It is dated from the "Dover Castle Hotel," Calais, 10th May 1868. "Dear Mr. Candelet,—We are glad you have been over to this country to look into the observance of the French Sabbath, and also of the conduct of

the French public-houses. We have perfect I may say, uninterrupted freedom to eat and drink what we like, and when we like; and this, you must admit, is what you have seen, without injury to the physical or moral welfare of the people. More restrictions the English Parliament imposes, the greater the secret desire to do that which mankind is forbidden to do, no matter whether in England or France, the impulse is the same. Your English philanthropists are mistaken. Their zeal and efforts for compulsory legislation only increase the evils they are anxious to suppress. From what you have seen in your travels you must confess the French Sabbath, if better, is certainly not worse observed than in England. As the representative of the English trade, we shall be glad, at any time, to see you again, or to supply you with any information you may require on the social state of this country of France. There is but a narrow straight line which divides the two countries; but a great difference in the public-house regulations. There is more restriction in this country on the Sunday than there is on any other day, and the French Government never, or but rarely, think of interfering with the social convenience of its subjects or with the conduct of the public-houses. We see from the English papers, that this class legislation is constantly before the English Parliament, and from our experience we only sympathize at the patience of the English senators, in bestowing so much attention upon foolish schemes and proposals, to advance by compulsion the improvement of English society. Give the people of England more educational amusements, and use less force, you then will have better results in England. The people will be better, like you, and have more respect for their makers. Yours truly, G. Woodford and others.—To Geo. Candelet, Esq., Hotel du Commerce, Rue Royal, à la Calais.

8534. Do you, generally, agree with the sentiments of the writer of that letter?—I do.

8535. Have you noticed, from your experience, an improvement in the habits of the people generally during the last 10 or 15 years?—As far as Manchester is concerned, if we look at their educational progress and the taste for literature, we had no daily papers in 1831, but we had five weekly papers, with a circulation of 12,000; in 1868 we have three daily papers and two weekly papers, with a circulation of 346,000 a-week, and we have periodicals in conjunction with them, and 200,000 of them come into Manchester every week, besides the London papers. I may mention, in conjunction with the spread and increased circulation of newspapers, that we have public libraries, schools of art, reading rooms, building clubs, provident societies, musical festivals, and public parks, all of which in themselves have greatly tended to facilitate the improvement of the mind, and also the health of the people. Such things as public libraries, schools of art, and reading rooms did not exist all 25 years ago in Manchester.

8536. If a people confessedly improving their moral behaviour, and who have largely improved during the last 10 or 15 years, found themselves suddenly under the imposition of fresh restrictions, is it not possible that a considerable feeling against those restrictions would be created?—Certainly.

8537. And, in fact, is it your opinion that such

sh restrictions would be followed by evasion, I might possibly, in the long run, actually check the moral improvement which they are intended to stimulate?—I feel thoroughly satisfied in my own mind that drunkenness would not be diminished through the imposition of fresh restrictions; it would tend to increase the hush-houses and private drinking places, where the vigilance of the police, to a very great extent, would be eluded; it might make the people hypocritical, but it would certainly not otherwise improve them. I can remember the wakes and fairs, where there was a great deal of feasting and a great deal of extravagant drinking, but a great deal of that money now is spent in cheap excursions, and many of the poor working men have gratification of seeing London, or improving their health at the seaside, who at that time devoted the whole of their attention to domestic drinking.

8538. If the taste for private drinking were discouraged by restrictive legislation, is it not possible that that taste, not being so directly under the control of the law, might quietly and gradually spread more and more widely, and so, in the long run, cause a worse state of society for drunkenness, than could be caused if the present law remained unaltered, and the people were left to judge for themselves, and to continue the course of moral improvement in which they have already been advancing?—There is no doubt that that would be the effect of private drinking, and whatever evils may be attendant upon public drinking, the private use of drink is very much worse in its influences.

8539. You would say, I suppose, as an illustration, that the fire which smoulders underneath is very often, in the long run, worse and more dangerous than the open flames which are easily seen and, therefore, more easily checked?—Quite so.

8540. Speaking of Manchester, are you aware that there has been a householders' canvass in Manchester, and that the results of that canvass are reported to be favourable to the Bill?—I am aware that a canvass has taken place from the reports which I saw in the public papers; but I respectfully submit to the Committee that that is a very *ex parte* mode of representing public opinion; and I think that caution ought to be exercised by the legislature how they proceed to legislate upon the basis of a household canvass. That canvass the papers were originated and issued by the friends of the Bill, and they were collected in by some persons who were known only to the party who issued them; and when the results are totted up and issued to the public, there is no impartial check; it may be right, it may be wrong. But the old constitutional mode of representing public opinion to this House is through the medium of petitions; and remember, just before this Bill was sent to a select Committee, that the number of petitions were greatly in excess on the part of the opponents compared to those who promoted petitions in its favour.

8541. May I say that your opinion is that a canvass instituted by persons who have a desire to obtain a particular expression of opinion, is not a canvass which, in your opinion, can command implicit confidence?—That is so.

8542. I understand that you have communicated with chief constables and others with reference to the state of drunkenness in various

parts of England?—I have. I may say that last year, in reference to those statistics, when the Honourable Member's Bill was before the House, I opened a communication with Sir Richard Mayne, the Chief Commissioner of Police in the Metropolis, and he very politely, in reply to my request, sent me the state of drunkenness in Whitehall, Westminster, St. James's, Marylebone, Holborn, Covent Garden, Finsbury, Whitechapel, Stepney, Lambeth, Southwark, Islington, Camberwell, Greenwich, Hampstead, Kensington, Wandsworth, Clapham, Paddington, and Highgate. This embraces a population of 3,785,245, and it does not average more than 36 persons apprehended each Sunday for drunkenness.

8543. Mr. *Locke*.] What year is that?—This is for last year. It is a return showing the number of cases of drunkenness, &c., which have occurred between 1 o'clock p.m. on Sundays, and 1 o'clock on Mondays, during the year 1866. Also the number of public-houses and beer-shops existing at the end of 1866; of course, this table was procured last year, but it related to the year 1866.

8544. *Chairman*.] The population of London in that year, according to the table which Sir Richard Mayne has placed before the Committee, amounted to 3,396,664; that is the statement which he made to the Committee?—Permit me to make one remark, that the metropolitan police district extends beyond the boundary of the population of London.

8545. Mr. *Knatchbull-Hugessen*.] Have not the proportion of Sunday offences, and the proportion of offences on Saturday night, both of which are usually brought before the magistrates on Monday morning, been rather confused in the statements and statistics of some witnesses?—They have.

8546. These tables contain the number of offences on Sunday only, for your own object and elucidation, you have made the separation more distinct?—Yes, that is so. I may say that, in conjunction with Sir Richard Mayne's returns, I have had returns, also, from the chief constable of a great many towns in the provinces, including Accrington, Ashton-under-Lyne, Blackburn, Bolton, Bristol, Burnley, Birmingham, Bury, Carlisle, Darlington, Exeter, Glossop Division, Halifax, Huddersfield, Hull, Lancaster, Leeds, Leicester, Macclesfield, Manchester, Newark, Newcastle-upon-Tyne, Nottingham, Oldham, Plymouth, Preston, Rochdale, Rochester, Salford, Sheffield, Staleybridge, Stockport, Wakefield, Warrington, Wolverhampton, and York. That embraces a population of upwards of 3,000,000, and there is an average of about 35 per cent. apprehended in the course of Sunday during the year 1866.

8547. Mr. *Horsfall*.] Do you think that the watch committee of Manchester were influenced by the agitation in favour of this Bill?—I am afraid that they have been.

8548. When did that agitation take place?—Last year and the year previous; in fact, these last two or three years.

8549. I presume that agitation was with reference not to this Bill, but to the principle of this Bill?—No, originally it was not to this Bill.

8550. Presuming that the watch committee were influenced by the agitation in favour of this Bill last year, how do you account for the gradual increase in the number of cases of drunkenness

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from 1862 to 1866?—There has been a very great increase in the population.

8551. Do you think that the population has increased in proportion to the increase of cases?—Yes, I think so; perhaps the Committee will permit me to draw their attention to an extract from a letter by the Rev. John Garrett, who has taken a very active interest in promoting this Bill.

8552. Mr. Locke.] Was he examined before this Committee?—Yes, he has been examined before this Committee; I merely call the attention of the Committee to this extract from his letter, a copy of which has been sent to every Member of the House of Commons; this is addressed to the public, and is copied from the "Manchester Courier," and in this letter he says, "We have indeed felt it to be inevitable that this vast work must be effected by at least two Acts of Parliament following upon each other, according as the country will bear them, and according as Parliament will pass them, and we have hailed with thankfulness the prospect of speedily obtaining a first Bill, reserving the right and power to advocate any other Bill to complete the work, in case the friends of the cause should request us to do so, and should continue the requisite confidence and support." My object in calling the attention of the Committee to this extract is this, that this Bill would not settle the question; that it is merely an instalment, and here is evidence from a great promoter of the Bill, and who, no doubt, has supplied the honourable Member for Chichester with a great deal of information in support of this measure; it is plain we must be kept, as a trade, in constant boiling-water according to this.

8553. Mr. Berkeley.] You and I are old friends. I think I saw you in the year 1854?—You did.

8554. You were anxious that Mr. Wilson Patten's Bill should not pass?—Yes.

8555. In 1855 you are aware, are you not, of the evidence which was taken as regards the increase, or the probable increase of drunkenness which would take place, and which had been checked by Mr. Wilson Patten's Bill?—Yes, I am.

8556. Were you aware at that time of the petitions that had been got up, particularly by the Manchester League and that set of gentlemen who agree with them?—Yes.

8557. Do you conceive that those petitions throughout the country are *bonâ fide* petitions of adults and persons who had a right to give an opinion, from their own knowledge?—I know this, that as regards the petitions which have been recorded and received by the House lately, the report of the Select Committee upon Public Petitions, makes very unfavourable remarks as regards the character of those petitions.

8558. But of your own knowledge you are not aware whether they are *bonâ fide* or not?—Of my own knowledge I am not aware.

8559. As regards the agitation which has been got up, are you aware of the funds which the Manchester League and those gentlemen possess, and which are all addressed to agitation; have you heard the amount of them?—The amount of funds is very considerable. The last report I saw of the funds subscribed was some thousands of pounds; and I have many times thought that so long as there are so many people about the country who appear to have more money than in-

telligence, the agitation will always be kept alive.

8560. You consider, then, that the paid agents of those persons who go about the country, the well paid agents from the Manchester League are likely to act in a self-interested way, and keep the agitation up?—There is no doubt that it is a question of self-interest to a very great extent. There are some honourable exceptions, but I believe that their views are very much mistaken.

8561. Have you ever turned your attention to the regular trade that there is in getting up petitions?—Yes, there is no doubt that the executive staff connected with the promotion of this Bill have the most perfect machinery for getting up petitions, and can pour them in like water from a pump, in a never ending stream.

8562. Of course, acting upon the minds of weak people, old ladies and so forth, they draw such a picture that they make a great many proselites?—There is no doubt that their appeals are very sympathetic, and they live a life of repentance over the sins of others, and forget themselves very often.

8563. Are you aware how easy it is, upon any subject whatever, to get up petitions with money, and that there is a regular trade in petitions?—To a very great extent it is so.

8564. Are you aware that from 5 l. up to 50 you may have petitions on any given subject with a number of signatures co-extensive with the expense?—Yes.

8565. You have seen statements touching the feeling of Bristol as regards this Bill; you know the City of Bristol well?—Yes.

8566. Are you aware which way the feeling tends in that city?—Very much against legislation of this description; that I am certain of. Perhaps you will permit me to say that I think that the promoters of this Bill, in their style of advocacy, are not so discreet as they ought to be; I sometimes think if their object is temperance they are not very temperate in the style of advocacy.

8567. Mr. Knatchbull-Hugessen.] There have been many misrepresentations made, have there not, as to the course which the licensed victuallers have taken in agitating upon this subject?—Yes.

8568. One of the allegations that was made was that they were instrumental in presenting testimonial, which was presented to a certain member of the Legislature for his exertion against these restrictive measures?—Yes.

8569. Is it, or is it not, the fact that such an allegation is totally without foundation?—It is so.

8570. Will you explain what that testimonial was?—I remember copying the inscription which was given upon the casket containing the testimonial, and, with the permission of the Committee, I will read the inscription itself. I merely wish to remove the reproach and the scandal which was heaped upon my friends: "This casket, enriched with gems obtained from St. Vincent's Rocks, Bristol Hotwells, was made from an oak beam taken from the north porch of the church of St. Mary (Redcliffe, Bristol), which parish was formerly the town of Redcliffe, feudal possession of the lords of Berkeley, was on the 24th day of September, 1856, together with a silver salver, and purse of sovereigns, presented to the Honourable Francis Henry Fitz-

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ding Berkeley, M.P., as a testimonial, amounting in value to 1,012 £., by 14,000 Englishmen of classes, in recognition of his manly advocacy the peoples' rights in the Commons House of Parliament." I may say that the Honourable Member was obliged, at the time, to seek the sanction of the law. The Lord Chief Justice Cockburn, who was then attorney-general, prosecuted them. A verdict was obtained; but nominal damages were accepted, and an abject apology given in court.

8571. *Chairman.*] What for?—For misrepresenting Mr. Berkeley, and, to a very great extent, turning the scandal upon Mr. Berkeley of having received the testimonial not from the general public, but from the licensed victuallers, and that he really was bribed in taking the course that he did to procure the repeal of Mr. Wilson Crockett's Act.

8572. *Mr. Evans.*] You read a letter, I think, from some gentleman with regard to the state of the public-house in France?—With reference to the social state of the people in France.

8573. What is the profession of that gentleman?—He is a licensed victualler and an Englishman. It is a great house where the English people assemble in Calais called "The Dover Castle."

8574. *Mr. Roebuck.*] When you say that he is a licensed victualler, you do not mean that he is a licensed victualler in England, but that he keeps an hotel at Calais?—Yes.

8575. I understood you to say that, supposing persons were permitted to take out a six days' license, and were charged the same price for it as they now are for seven days, and that the price for the seven days' license was increased, the trade would very naturally object to that?—Yes.

8576. Would the trade also object if the price for the seven days' license were kept as it is, but at the same time it was permitted to those who thought fit to take out a license for six days at a lower price?—I am not aware what their opinions are upon that point; I have not ascertained.

8577. *Mr. John Abel Smith.*] Will you take that return in your hand, and look at it, and tell me which column refers to the number of cases of drunkenness (*handing the same to the Witness*)?—The first column in Sir Richard Mayne's table.

8578. Why not the second?—Because the first column is the number of cases of drunkenness only, and the second column is cases of drunkenness connected with crime or disorder.

8579. Are not they the most important?—Of course that ought to be taken into consideration in conjunction with the first column, certainly.

8580. Why did you leave that out in your statement to the committee?—I am not aware that I did; if I did it was not purposely done.

8581. I understood you, in your statement to the committee, to refer only to the first column, and you made a division of the cases with which, as I understood it, that first column agreed?—It was no intention of mine to omit the second column, if that was the honourable Member's understanding.

8582. I am not to understand you that that was purposely done?—No, it was not.

8583. What statement did you make; I do not wish to misrepresent you?—No; I hope not. I admit, and I think that ought to be sufficient, 0.69.

that the first and second columns ought to be taken into consideration.

8584. And if your previous evidence does not state that, it is inaccurate?—In that particular respect, not inaccurate, but certainly not stated.

8585. Does not the second column contain nearly twice as many as the first?—Yes; very nearly it does.

8586. It is the most important column of the two, is it not?—It ought to be taken into consideration in conjunction with the first.

8587. It is the most important column of the two, is it not?—There is no doubt it is an important column, and ought to be taken into consideration.

8588. *Mr. Baines.*] What is the total number of those two columns added together?—One thousand nine hundred and fourteen.

8589. The number of cases that you gave was 606?—Yes; for drunkenness only.

8590. *Mr. John Abel Smith.*] Will you have the goodness to explain to me why, in reference to the estimate of drunkenness, you leave out prostitutes and carters?—If we are to consider drunkenness only, of course we have the cases of drunkenness distinguished from those that are coupled with other offences; and if we must speak of drunkenness, we must speak of drunkenness only; but if we are to take into consideration crime and disorder, we are then considering not so much the question of drunkenness as we are considering the question of other offences.

8591. Do I understand you that you do not acknowledge or see the importance of drunkenness leading to crime?—I have very often seen that crime is sheltered by drunkenness; for instance, in cases of prostitution and thievery, and when all personal self-respect and character is lost, then they take to drink as a cloak for their vicious propensities.

8592. What you mean is that crime induces drunkenness, and not drunkenness increases crime?—I believe that, to a very great extent, crime is the cause of drink.

8593. Are you aware how much that opinion is in contradiction of what one might term the highest authorities in the kingdom—medical men, legal men, judges, and social reformers, who all seem to agree upon the fact that drunkenness induces crime?—I know that that has been said.

8594. But you do not think it is founded on fact?—I think to a very great extent it is correct; but I also think, on the other hand, that there is a very large percentage of society who indulge in drunkenness who have lost all character and personal respect, and take to drinking afterwards.

8595. May I again go back to the question, that I may understand you; you leave out prostitutes and carters, because you think that their tendencies lead them to drunkenness, and that it is not drunkenness which induces them to follow their courses?—To a very great extent.

8596. Why do you confine your observations to those two particular classes?—Because they are mentioned in the tables; both in the table of Captain Palin, and also in the table of Sir Richard Mayne.

8597. And you think those ought to be taken out?—No, I do not think they ought to be taken out, because there are cases where drunkenness creates disorder, and there are cases of simple drunkenness only.

8598. I think

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Mr. 8598. I think you stated, if I understood you
G. Candelel. a right, that there was a great difference in the
 25 June returns in reference to the strictness of the mun-
 1868.icipal authorities in any particular place?—
 Yes.

8599. And that in Manchester the Watch Com-
 mittee was favourable to a change of the law, and
 further restrictions on drinking, and therefore
 you thought that the strictness of the police
 might be relaxed?—I have been disposed to
 think often that the temper of the Watch Com-
 mittee, and of course the exercise of the police
 authority, has been influenced by the state of
 public opinion at the time, because, in my long
 experience as a citizen of Manchester, and par-
 ticularly as an officer connected with the trade,
 I have found that at some times the police have
 not taken much interest in drunken cases; but at
 other times they have been disposed to be very
 severe, and I have always noticed that the
 severity has been prompted apparently through
 the state of agitation in reference to Bills of this
 description.

8600. Then you think that public opinion is in
 favour of further restriction at Manchester?—No,
 I do not.

8601. How do you put the two things to-
 gether?—I know that we have had a towns-
 meeting there, and that towns-meeting, presided
 over by the mayor, decided in favour of the Bill;
 but I also know that that public meeting con-
 sisted mainly of a mixture of over-zealous, reli-
 gious people, and of teetotallers, and that a very
 large proportion of society, concerned in friendly
 societies, and who require and believe in the use-
 fulness of the accommodation of public-houses,
 did not attend the meeting, and therefore that
 that meeting, to a very great extent, did not re-
 present the state of public opinion in Manches-
 ter.

8602. I only ask you the question because you
 stated before that you thought public opinion in-
 fluenced the Watch Committee?—Yes, that part
 of public opinion which is in favour of this mea-
 sure.

8603. And that is not the majority?—That is
 not the majority.

8604. Do not you think that in a very large
 number of towns there may be also another
 cause at work in the other direction, namely, a
 negligence in the police to take up drunken
 people?—I am not aware of it.

8605. You think that there is a universal strict-
 ness?—I believe this, that it is very unwise, and
 a misapplication of the police power, to put them
 down exclusively upon publicans, and people who
 may at times be a little gay, and to withdraw
 their powers from the protection of life and prop-
 erty; I think that is the main object of the
 police force, and not to persecute and to punish
 a particular section of tradesmen, or to look after
 people when they reel along the street or are in-
 capable of walking straight.

8606. You think that the duty of the police is
 not so much to look after drunken people as it is
 to protect person and property?—Yes, life and
 property.

8607. You do not think that there is negli-
 gence in reference to that at the present time,
 do you?—Yes; I think wherever the police are
 more stringently put down on the state of drunk-
 enness and the conduct of public-houses, their
 usefulness is injured as regards the general pro-
 tection of society.

8608. You stated that if this Bill passed into
 law, there would be a loss of 8,000 £. a year to the
 5,430 people who compose your association?—
 Yes.

8609. What do you mean by that?—I mean
 that that represents one-seventh of the trade done
 through the week.

8610. Is that 8,000 £. the weekly loss or the
 annual loss?—It is the annual loss.

8611. Do you mean to tell me that the whole
 loss of those 5,430 publicans would be under
 30 s. a head in a year?—Yes; I think it would
 be about that.

8612. Then why do you attach so much im-
 portance to it?—I am mistaken; this would be
 the weekly loss, not the annual one; so that I
 am obliged to the honourable Member for cor-
 recting me.

8613. Thirty shillings a week is not a very
 heavy loss, is it?—I think it is too much to sacri-
 fice, considering that there has been no propor-
 tionate reduction in the rent charges and license
 duties.

8614. With regard to the past restrictions
 what do you think about them?—I think the
 past restrictions have operated very satisfactorily
 both to the trade and to the public; but I think,
 at the same time, that there must be a limit to
 those restrictions; at all events, it seems to be
 in advance of public opinion to impose restric-
 tions at the present time.

8615. You think public opinion does not second
 the movement?—No, I think not.

8616. You said a good deal about the petitions
 in favour of the Bill, and you attribute the num-
 ber of signatures to the expenditure of the
 Alliance?—Yes.

8617. Do you know that the Alliance have
 ever spent one shilling in reference to petitions?
 —I did not mention the Alliance; I mentioned
 the promoters. I beg your pardon; I did not
 say the Alliance.

8618. But you said some society?—Yes; the
 society for the promotion of this Bill.

8619. Where is that society; I understood
 you to mean the Alliance?—I did not mention
 the Alliance.

8620. I understood you to say that there were
 large funds expended by some society, and I
 thought you meant the Alliance; whom did you
 mean?—The Central Association for the Promo-
 tion of Sunday Closing.

8621. Do you know as a fact that they have
 ever spent a shilling upon it?—They must have
 done.

8622. But do you know it; is there any state-
 ment in their accounts about it?—I take it for
 granted that they have spent a large sum of
 money. I have seen announced, in the public
 papers subscriptions which have been received
 for the purpose of promoting the agitation.

8623. I should like to know what society it is,
 for I do not know it myself?—The London As-
 sociation for Stopping the Sale of Intoxicating
 Liquors on Sunday, 14, Salisbury-square, E.C.,
 London, July 10th.

8624. Then it is those who you think have
 spent money?—The association for stopping the
 sale of liquors on Sunday.

8625. Do you know what funds they have
 received?—No; I do not know anything at all
 about their finances; and if I knew less about
 their opinions, I should, perhaps, be no worse for
 it.

8626. May I ask you, with reference to your acquaintance with Mr. Berkeley, and your statement that it is a slander to attribute the memorial to him to the publicans; you say that not true?—I do say so.

8627-8. Was there a meeting in February 1856, at which you yourself made this statement, Mr. Candelet proposed a vote of thanks to Mr. Henry Berkeley, M.P., for his exertions during the late Session of Parliament, and pledging this association to promote the testimonial to be offered to that Honourable Gentlemen. Mr. Atkinson seconded the motion, and it was carried unanimously. Mr. Harris added that he had used every exertion to promote that object, and he hoped not without success. He had taken the Surrey Theatre for the 19th February, and hoped to clear at least 50 l. or 100 l., all of which he should hand over to the committee, to increase the amount:—is that an accurate statement?—That is an accurate statement, but I do not see that that statement goes to prove the inaccuracy of the statement which I have made. The inscription upon the testimonial, which has been read to this Committee, goes to prove that it was presented by 14,000 Englishmen of all classes; that is the inscription.

8629. I do not dispute that, but I am only asking you as to that which appears to me inconsistent, that you here call upon the publicans to do this, and then you deny that they have had anything to do with it?—No; I do not deny that. The publicans, as part of the general public, might have contributed towards it, but that that testimonial was exclusively and entirely promoted by the publicans is not true.

8630. What was the memorial?—The memorial consisted of 1,012 l.

8631. In what form was it; was it all in money?—A silver salver and a roll of parchment, upon which was inscribed the name and address of every subscriber.

8632. What was the amount of the subscription?—£ 1,012.

8633. And part of that was employed in the purchase of a salver, was it?—No, in addition to the 1,012 l. in money, there was a silver salver.

8634. I have before me a newspaper of September 1861, in which you are represented to have said that the licensed victuallers must have their interest and property represented in the House of Commons "independent of politics, for they knew no politics in the matter, that their bread and cheese was at stake;" is that the motive and object which you have now in the evidence which you give?—I am not aware that the object of this Committee is to inquire into political sentiments.

8635. Did you say that this was for you a bread and cheese matter?—Yes; and I think if the speech is rightly reported, if you read on, you will find that I assign as a reason that we are obliged to assume this in consequence of the promoters of this Bill, and of the Permissive Bill, declaring that they will sink politics, and we are obliged to adopt counter action; I do not know what paper you are reading from; perhaps it is an *ex parte* statement, that has no sympathy with me or my friends.

8636. I do not know what the comments are, because I have not looked at them, but I am taking an extract from a speech of yours?—Is that in the "Alliance" newspaper? If so, I

don't recognise the report of any speech of mine in the columns of that paper.

8637. Yes; but is it the fact that you look at those things without reference to anything else than its being a bread-and-cheese question for the publicans?—We have been obliged to do so through the action which has been taken by our opponents.

8638. Do not you think that that affects your opinion with reference to the social and moral effects of such a Bill as is now before the Committee?—I do not think it does.

8639. May I ask you whether you have seen any of the witnesses who have been called against this Bill before the Committee before they were examined?—I am not aware that I have.

8640. Or after?—Of course I have after.

8641. Have any of them been paid by you?—Certainly not.

8642. Or by your association?—Certainly not.

8643. Have you never heard that?—No.

8644. Have not you heard anybody state that?—Certainly not.

8645. With regard to petitions, you do not, yourself, know anything implying dishonesty or unfairness in the getting up of the petitions, in favour of the Bill?—I do not know that I could make any statement disparaging the character of the petitions beyond what I have seen in the Report of the Public Petition Committee, that the signatures were not in the handwriting of many of those who seemed to have signed them.

8646. With regard to friendly societies, do you think that the convenience of the officers of friendly societies is an adequate motive against legislation with reference to drinking and drunkenness?—It is one of the reasons which ought to be brought under the notice of this Committee, that what I conceive to be very useful institutions as a relief to the parish, should not be damaged by any such legislation as this.

8647. Have there not been in many cases rooms taken for those institutions?—Yes.

8648. Do not you pay the publican?—No.

8649. How does he get his profit out of it?—He gets his profit from the profit on the liquor sold, not on that particular day, but that it is a part of the connection connected with his establishment.

8650. I am not fortunate enough yet to catch your meaning. There is a certain amount of trouble, and those people use his house, and his room for a particular purpose, and he must find his interest in it somehow or other?—He is not paid directly; he may be paid through his business transactions.

8651. But do you think that he is paid by the consumption of beer?—Of course, he must be paid through the general consumption of the article which he sells.

8652. Is not that in direct opposition to the principle and spirit of friendly societies?—I cannot understand it in that form. Friendly societies have prospered and grown to an immense magnitude in this country: they originated in public-houses, and have been nursed in public-houses; certainly it is one thing to remove them from public-houses; but I think care ought to be exercised that no legislation such as this is permitted to damage them.

8653. Do you really believe that a Bill restricting drinking in public-houses on Sunday would

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would injure friendly societies?—Yes; thousands of them. There are a perfect network in Lancashire; they may be unknown to gentlemen representing southern constituencies, but they are well known to many gentlemen on this Committee, and in this House, to form a perfect network; and the constitution and the objects of those societies, and how they would be affected, are perfectly well understood to a large number of gentlemen who represent constituencies in various parts of Lancashire, and therefore it is one of the reasons, I conceive, which ought to be brought under the notice of this Committee, why this Bill should not pass.

8654. And you think that Mr. Tidd Pratt's advice against meeting in public-houses implies ignorance on his part of the conditions and circumstances connected with these societies?—I do.

8655. Do not you consider that the *bonâ fide* traveller question is settled?—No; there has been no case before any of the superior courts where a decision has been given that has yet been uniformly acted upon by the local authorities.

8656. When did you last know any case with regard to the *bonâ fide* traveller?—I believe it was the Worcester case, before Lord Chief Justice Erle.

8657. How long ago was that?—Perhaps two years ago.

8658. Is not that considered to have settled the question?—No.

8659. But is it not so considered?—No; we have the question up frequently. That case is cited very often; but it does not guide the magistrates.

8660. Has there been any case before the magistrates upon the *bonâ fide* traveller clause since that?—There has; but I could not give you the case from memory.

8661. They do not consider that as guiding their decision?—They take it into consideration; but in some districts, now as at all times, in my experience, the local authorities will not be guided by any particular decision which has been given by the judge; they take their own view of it; and the trade is still in an unsettled state with reference to that particular point.

8662. You cannot give me any instance where there has been a decision in the face of that case?—I cannot, from memory.

8663. You stated a very satisfactory fact, as regards the increase of newspapers and periodical publications in Manchester since the year 1831; can you give us the increase of public-houses and beer-shops in that time?—I can give you the relative number of licensed victuallers and beer-houses from 1843 down to 1868. In 1843 we had 502 licensed victuallers and 781 beer-sellers. In 1844 we had 490 licensed victuallers and 850 beer-houses. In 1845 we had 482 licensed victuallers and 1,006 beer-houses. In 1846 we had 487 licensed victuallers and 1,089 beer-houses. In 1847 we had 482 licensed victuallers and 1,000 beer-houses. In 1868 we had 485 licensed victuallers and 2,017 beer-houses. We had, in 1863, 17 licensed victuallers less, although the population has doubled itself, than we had in 1843; that is 25 years ago.

8664. You have got 2,000 beer-houses?—Yes, the present population is 380,000. I should think, since 1843 up to 1868, we have doubled

ourselves; but the licensed victuallers are 17 less in number than they were 25 years ago.

8665. Mr. Baines.] You are not speaking from authority, are you, as to the population doubling in that time?—Not as regards the population.

8666. Mr. John Abel Smith.] But there has been a very large increase in the number of beer-houses?—Yes; in 1843 there were 781, and now there are 2,017.

8667. Then there has been a still greater increase in the number of drinking houses than in the means of the education of the people?—No, I do not think there has; if you fairly compare the state of matters as regards the state of general education, I think that we are in a far better position as regards the state of the public mind and their health and their habits, compared with what we were 25 years ago.

8668. I do not dispute that; I will quite admit it, if you like; but then you have also a great increase in the means and temptations to drinking?—We have, as far as beer-houses are concerned.

8669. Are they not temptations?—I should not like to enter into the question of beer-houses at all; I simply give you the figures.

8670. Beer-houses, you think, do much more mischief than public-houses?—I do not know anything at all about beer-houses; I am connected with the licensed victuallers.

8671. You will not tell me what you think about the effect of beer-houses?—My official connection is with the licensed victuallers; I simply know the figures: perhaps I may be allowed to hand those figures in (*giving in the same.*)

8672. Do you know how many offences against the law were committed in Manchester by beer-houses and licensed victuallers last year, 1867?—I have not looked at the local records.

8673. Is your time given up to the performance of your duties as secretary for those 5,340 publicans?—Yes, exclusively in conjunction with the local society, the Manchester and Salford Association.

8674. Have you never turned your attention to the connection between crime and drinking?—No.

8675. Mr. Baines.] You stated, did you not, that the number of petitions against the Bill was greater than the number in favour of the Bill?—In the last Report that I saw from the Public Petitions Committee it was so.

8676. Will you have the goodness just to attend to the figures which I will read from the last Report of all that has been issued, the 27th Report, bearing date the 15th and 16th of June; and first I will read to you the number of petitions in favour of the total prohibition of the sale of liquors on Sunday, and then the number in favour of this Bill, which is not for total prohibition of the sale of liquors on Sunday?—Might I say that my statement is based upon the petitions which were presented to Parliament in favour of the Honourable Member's Bill.

8677. Now take my statement; you may put down the number of petitions for total prohibition of the sale of liquor on Sunday as 820, and the signatures 156,183; and for this Bill upon which we are now engaged, the number of petitions is 3,653, and the number of signatures 330,554, if you add those together, you will find the total to be 4,473 petitions, and 486,737 signatures; then the number of petitions against the Sunday Liquor Bill

3, and the signatures 476,942. You have before for the comparison as to the number of petitions, a total of 4,473 petitions either in favour of the Sunday Liquor Bill, or for proving the sale altogether on the Sunday, and have only 583 petitions against the Sunday Liquor Bill; are there not nearly eight times as many petitions for prohibition, either total or partial as there are against the Bill?—Yes; there is no doubt of it.

678. I want to know whether 486,737 is not at least 10,000 more signatures than those against the Sunday Liquor Bill?—It is so, if you couple the two classes of petitions.

679. Is it not a mistake to suppose that the number of petitions against the measure is anything approaching to the number of petitions in favour of the measure?—That is so.

680. Is it not also a mistake to suppose that the number of signatures against the Bill is equal to number of signatures in favour, either of the Bill or of prohibition?—Yes; that is so.

681. Is not the Bill a less measure of restriction than total prohibition would be?—Virtually, it amounts to the same.

682. If it allows the public-houses to be open to the sale of liquor for four hours in the day, is it not a less restriction than the total prohibition of all sale; that makes a material difference, does it not?—There are very few licensed victuallers who would keep their houses open.

683. It is a much less measure of restriction than total prohibition, is it not?—Yes.

684. I want to know also, whether the very great diffusion over all the counties of England and Wales of those 4,473 petitions would not naturally imply a more extensive feeling than the 583 petitions which have been got up against the Bill?—Yes.

685. Are not the petitions that have been got up against the Bill got up by parties who have a direct pecuniary interest and strong feeling against the Bill, whilst the petitions which have been got up in favour of the Bill by persons who can have no motive but public benevolence, and a desire for public virtue?—No; my answer is that with regard to the licensed victuallers, who have petitioned against this Bill, although engaged in a particular trade, whose interests are presumed to be affected by it, that is the sole motive.

686. What is the other motive?—They themselves form a portion of the public, and not very frequently they themselves require some accommodation on the Sunday, when away from home, as the public who use their own establishments do; but I do not see that the licensed victuallers should be deterred from taking action against a measure of this description for fear of being charge of being actuated by self-interested motives.

687. Nor do I; and I did not mean to imply that; and knowing that there are so many licensed victuallers of most respectable character, I should be very sorry to imply any such thing; the question I asked you was, whether there was not in the one case a strong pecuniary interest, whereas in the other case there was no pecuniary interest at all?—I admit that there is no pecuniary interest, but there is a justification for it.

688. With regard to friendly societies, if the wages are paid on Saturday or Friday, or some other day of the week, why cannot the funds be distributed on one of those days, instead of being reserved to be distributed on Sunday?—I should say, in reply to that, that any gentleman who has any knowledge of the state of confinement connected with factory labour, must know that those societies, both as regards the managers and as regards the members, are confined all day long, from Monday morning till Saturday at noon, in workshops. If you take a large town, like Stockport, or Manchester, or Ashton, or Staleybridge, or Preston, or any of those large towns, those societies are divided into districts, and they are obliged to limit those districts; and although the money is collected on the Sunday, they start from home at nine in the morning to collect the halfpence and pence for provident purposes; it takes them the whole day till six or seven at night; and they meet in the evening, surrender their cash, and make up their books; but on any other day it seems to me to be very inconvenient, because the collectors in their various districts could not be at each house at one and the same time. The inmates are only to be met with during meals. If some plan could be propounded to carry out the idea of getting the money to be collected on some other day of the week. I do not mean to say that it is not necessary, or that it would not be useful, but what I wish to put forth is this: that at present, in the absence of any such means as this, the present Bill would certainly interfere with their management, and impair their usefulness.

689. At what hours did factories use to close when you were a lad?—Eight at night.

690. At what hour did they close on Saturday?—On Saturday at about four o'clock in the afternoon.

691. At what time do they close now?—At one o'clock.

692. Were they formerly open only till four; do not you recollect when they were open later than four on the afternoon of Saturday?—Yes; six o'clock, I should think.

693. There now is really a substantial and important difference on the Saturday afternoon, and a gain to the working man, which I dare say, you and I both think a very great gain of five hours' valuable time?—No doubt.

694. Do not you think, from your knowledge of the whole of the officers connected with those societies, connected with the fact that the wages are paid on Saturday, that it would be possible and advantageous that you should go immediately and get the money from either the husband or the wife, as soon as the wages are paid, and thus be able to do away with Sunday labour altogether?—My answer to that is this: that the working men and women, and a great deal of female labour is used in cotton mills, begin at six o'clock on Monday morning, and finish at six every evening up to Friday evening, and when they have gone through the monotonous routine and close confinement of five or six days' excessive labour, in a heated atmosphere, amidst the din and noise of machinery, there is very little disposition, on Saturday afternoon, to take part in the working of friendly societies. That afternoon is used for domestic purposes, for market purposes, and availing themselves of cheap excursions 20, 30, or even 50 miles round Manchester; that is the only answer that I can give.

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8695. Are you not aware that in France, to which you have alluded, and from which you have read a letter, not only are the public-houses open on Sunday, but that all the theatres, and circuses, and exhibitions of the highest kind are open also on Sunday evening, and that that is the main evening for amusements of every description?—Yes; if you will permit me, in conjunction with that, I should like to add that I should not like to see introduced into this county, as regards trade on the Sunday, what I saw in France. I saw the shops open, and I knew that places of amusement were also open; and that is a mode of observing the Sunday which I should certainly not like to see introduced into this country.

8696. I am very glad to hear your reply, and I have no doubt of the perfect accuracy of it; but I want to know if, from your observation, I am not justified in saying that, to a great extent, the Sunday in Paris and France generally is divided between labour in the morning and pleasure in the afternoon?—Yes; there is some of that certainly.

8697. Are not the liquors which are drunk in France of a very much less intoxicating character; generally very light wines, almost of a vinegary character, and very much less likely to intoxicate than the beer and malt liquor generally of England?—I may say, in reply to that, that the prevailing beverage in England is beer; that is the principal article of consumption.

8698. Is not that much more intoxicating than the light wines of France?—There is a tendency to adopt the use of light wines in England.

8699. But it has not come in much, has it?—Yes; but I would rather see the consumption of light liquors encouraged in this country than such restrictions as are contained in this Bill.

8700. Do you think that there is much light wine sold in public-houses and beer-houses in England?—Yes, I do.

8701. Do you think that it is gaining ground?—Yes, I do think so.

8702. Do you think that it bears any considerable proportion to the amount of beer and ale that are drunk here?—I do not think that it does; not at present; still it is gaining ground.

8703. With regard to Manchester, you have stated some most gratifying facts with regard to the vast increase in the number of newspapers, libraries, schools of art, reading-rooms, and so on; do you ascribe to those things all the social and moral improvement which you conceive generally has taken place in Manchester?—Yes.

8704. Do not you think that the temperance societies which have existed there have done a good deal towards it also?—I believe that temperance societies, so long as they confine themselves to moral suasion, do a vast amount of good; there are some very intelligent men amongst them; but resorting to the Legislature displays an amount of impatience which I think at the same time indicates a weakness in the power of their own arguments.

8705. Do not you think that they have had a very considerable influence in diminishing the amount of drunkenness, if it has been diminished, or at least in preventing the increase of drunkenness?—Yes.

8706. But notwithstanding that, the figures that you have given us, I think, prove a very large increase in the number of beer-houses in Manchester; nearly three-fold?—Yes.

8707. Altogether the number is now 2,500 whereas in the year 1843 the number of drinking-houses was 1,283?—Yes.

8708. That has gone on, notwithstanding the great social and moral improvement, and notwithstanding this temperance movement in Manchester; does not that rather prove a power, was going to say, of temptation in those drinking-houses, which it is rather desirable to have than otherwise?—Yes; but I respectfully submit this: would it not be better to adopt the same principle of granting beer-licenses as that which is resorted to for granting licenses to licensed victuallers?

8709. I entirely agree with you; I think that you are quite correct in that view; but I have one more question to ask you; we have had the number of cases of drunkenness mentioned, but are you not aware that there is a prodigious greater number of cases of drunkenness than those that are brought up to the police courts; that a great number of persons go home who are what is termed “half-sober,” or in a state not very fit for a man to be in, certainly; do not you think that there is really a much greater number of cases of drunkenness than that which appears upon the face of official returns?—With reference to that, perhaps the Committee will remember, that in 1860 there was a supplementary Budget brought forward for an increase in the spirit duties, from 8s. 1d. per gallon on British and Colonial spirits to 10s. 1d. per gallon, in order to meet the expenses consequent upon the Chinese war. If we take the three years in Captain Palin’s statistics prior to that date, and the three years afterwards, although the latter three years were the three years of the cotton famine, there was more drunkenness than there was when the spirit duty was 8s. 1d. per gallon, although the people had less means to buy it with; and if we look at the returns of the Commissioners of Inland Revenue, at the same time drunkenness was increasing, as shown in the statistics of Captain Palin, the Commission showed a decrease in the consumption of liquor.

8710. How do you account for that?—I really cannot account for it.

8711. Is it not to be accounted for in this way by supposing there to have been an adulteration of the liquor; I do not say in public-houses, do not speak of licensed victuallers, but in private houses?—If I might assign a reason at all, the best reason which at present I could assign it would be this: that if there was more drunkenness, as shown by the police tables, it arose from the fact that the people were drinking not only paid spirits, but spirits that had escaped the excise man.

8712. Do you think that there is much proof or any proof at all, of illicit distillation going on in England?—We are told by the Commissioners of Inland Revenue that illicit distillation is increasing; but illicit distillation and private drinking are two separate and distinct matters.

8713. Are you aware that the gentleman who stands in the same position to the publicans in Birmingham and the neighbouring towns, as you stand with regard to the publicans of Manchester and the neighbouring towns, has told the Committee that there is a great deal of bribing and corrupting of the police on the Sunday by those who keep either public-houses or beer-houses, and that, therefore, many transgressions of the law are winked at?—Yes, I am aware that that is the statement.

ment was made, but I do not concur in it. I have a higher opinion of the impartiality and the moral character of the police force of this country. I think that they would not, as a rule, give up to a mere paltry bribe for the purpose of encouraging the consumption of drink in prohibited hours.

8714. You would not doubt that that gentleman to whom I have referred, as far as his own experience goes, speaks what he knows to be the truth, because he himself was in the trade for many years?—No; certainly not.

8715. But you do not think that that applies to your part of the country?—I do not think it does.

8716. Mr. *Locke*.] I see that against the Sale of Liquors on Sunday Bill there are 34 petitions, signed officially or under seal; and, altogether, 3 petitions, and the number of signatures is 6,942; is that so?—Yes.

8717. Then, in favour of the Bill, there are petitions under this head, "signed officially or under seal," and 3,653 is the total number, and there are 330,554 signatures; therefore there is a difference between those two numbers, the number of petitions in favour, and the petitions against the Bill?—Yes.

8718. The Honourable Member for Leeds makes the petitions for prohibiting the sale of intoxicating liquors on Sunday; there are 46 officially signed petitions, and the total number of petitions is 820; and then he says there are 56,183, the total number of signatures, as against those petitions; of course, nobody would send in petitions in opposition to a vague set of petitions like these, for prohibiting the sale on Sunday?—No.

8719. Would it be probable that any class of people would petition against that?—No, certainly not.

8720. But when the Bill is actually brought into Parliament, the number of petitions against the Bill is, certainly, greatly more numerous than those in favour of it?—Quite so.

8721. With regard to the petitions for prohibiting the sale on Sunday, and the petitions in favour of the Bill, is there any difficulty, or any impropriety, in the same persons who are in favour of this Bill signing both those petitions?—Not at all; I have no doubt that it is very frequently done.

8722. Mr. *Baines*.] Have you any information upon that subject?—I have no positive information.

8723. Mr. *Locke*.] Have we not had it over

and over again before this Committee, that the persons who have come forward say that they are in favour of this Bill, and that they take it as an instalment, but that they would prefer a Bill for the total closing?—Yes.

8724. Therefore is there any improbability that such a person would sign both petitions?—Not at all.

8725. Mr. *John Abel Smith*.] Do you know anything about it?—I give you my opinion.

8726. I do not want your opinion. I ask you whether you know anything about it?—I do not, not positively; there is no improbability in it.

8727. Mr. *Frederick Stanley*.] In answer to an early question of mine, as to the loss which would possibly be upon the plant, so to speak of the licensed victuallers, you stated that the annual loss to the 5,430 persons whom you represent would probably be about 8,000 *l.*; but, as I understand, you have corrected that statement; you meant their weekly loss?—Yes; that would be their weekly loss.

8728. That would amount to 416,000 *l.* a-year, would it not, at 8,000 *l.* a-week?—Yes.

8729. Mr. *Knatchbull-Hugessen*.] I think you omitted to observe a little word in one of the questions put by the Honourable Member for Chichester; he asked you whether this was only a bread-and-cheese question with the publicans, and you answered that it was so; but is it not a fact that although the publicans may consider this as a bread-and-cheese question, yet they are also, perhaps, mainly actuated in their opposition to this Bill by the sense, which is daily forced upon them by their customers and others, that it would operate very much in an antagonistic manner to public convenience?—Quite so.

8730. Mr. *John Abel Smith*.] Do you mean that the Committee should understand that the opposition of the publicans to my Bill is mainly founded upon the convenience of the public?—No, not mainly.

8731. But mainly upon their own interest?—Yes.

8732. Mr. *Knatchbull-Hugessen*.] Is it not a necessity of the publicans' business that they must consult the convenience of the public, and be a great deal guided by it?—Yes, most decidedly.

8733. With regard to interested motives, may not a person who is actuated by the best moral motives be also induced by the force of those motives upon his mind to over zeal in getting up petitions?—Quite so.

ARTHUR JAMES JOHNES, Esq., called in; and Examined.

8734. Mr. *John Abel Smith*.] ARE you a Member of the Bar, and have you been for 20 years Judge of the Midland Wales County Courts?—Yes.

8735. Are you the author of several works, especially of a Prize Essay upon the Causes of Dissent in Wales?—Yes.

8736. Are you intimately acquainted with the language, habits, and history of the Welsh people?—Yes.

8737. Have you acted as judge in the counties of Anglesea, Carnarvon, and Merioneth, together with Montgomeryshire, Radnorshire, Brecknockshire, Herefordshire, and Shropshire?—Yes.

0.69.

8738. Has that given you large opportunities of noticing the effects of drinking and drunkenness in about one-half of the Principality?—More than one-half; I have sat as county judge in nearly every county of Wales, in parts of several counties, and in many entire counties, because my circuit has been changed, and therefore I have acted in different districts at different times.

8739. Are you aware that a very large proportion of the defendants sued for debts before you owe their difficulties to the effects of drinking and drunkenness?—Undoubtedly to drinking in public-houses; in many districts more than half, I should say, those whose debts are undisputed.

8740. Have

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8740. Have you any particular knowledge of that fact with reference to the Bangor district?—Yes; the high bailiff of the Bangor district, who is a very experienced man, thinks that the largest portion of undisputed debts which are sued for in that court are owing to drunkenness, drinking in taverns; and he has held the office 15 years.

8741. With reference to cases of assault; those do not come before you as county court judge, do they?—Yes, they do, in actions for damages of course, not in criminal cases.

8742. Is it also true that drinking and drunkenness is the cause of almost all cases of that sort?—I cannot recall a case of assault that did not arise from drinking in a tavern or a public-house. There may have been some that have escaped my recollection, but I do not think so. I think that the cause is this, that in the present day there are few people who would think of committing an assault unless they were drunk. If a man is aggrieved, he will usually bring an action, but if he is drunk he will commit an assault, which sometimes ends in murder, and those are all tavern squabbles.

8743. I think you have published letters addressed to Mr. Ribton Turner, the secretary to the conference of which Lord Shaftesbury was chairman in 1867, in which you strongly advocate the closing of all public-houses, as regards drinking on the premises, either during the week-days or Sunday?—Yes, that is my opinion; that an end should be put altogether to drinking on the premises; that is to say, social drinking, where people are urged on by the landlord to drink more and more for his own interest, whereby and by getting into jovial company, men are drawn on to drunkenness.

8744. Would not putting an end to drinking on the premises be a solution of this difficult question?—Yes, I think that drunkenness would cease altogether if drinking on the premises were put an end to. Of course there might be cases of drunkenness here and there; but that is my opinion. I am certain that it is so, with regard to the inhabitants of those districts with which I am best acquainted. I myself hardly ever knew of a poor man getting tipsy except in a tavern. If you shut the taverns you stop drinking. That has been proved upon Lord Penrhyn's estate, who has put down the taverns, and drunkenness has almost entirely ceased in that district.

8745. Although your opinions go to a much greater length than those who have advocated the Bill before this Committee, you still are in favour of the Preamble, and give your hearty support to the Bill?—I am in favour of any restriction as an advance. I have heard an Honourable Member refer to this as an instalment. Very well, it is an instalment; but I should wish no further restriction, unless the public mind were prepared for it. It would be a useless folly to wish it. But I am merely asked my private opinion, and I give it.

8746. Do you believe that increased restriction would promote the increase of secret drinking?—No, I do not believe that at all. If drinking on the premises were put an end to, there would be no secret drinking. I have known that from the experience of the parishes within a short distance of my home, where, by the energetic exertions of temperance societies, the people have become temperate, and the taverns have been got rid of in that way, by a kind of moral

suasion. And, in another instance, a landlord, proprietor, Lord Penrhyn, has put them down himself, by exercising his own rights. In neither of those cases have I ever heard of any secret drinking, and I do not believe that it occurs. The only way in which drinking occurs on the part of the inhabitants of those parishes is, when the people go to fairs and markets where there are taverns, they go into the public-houses, and become excited with drink.

8747. Where the property was under the control of the late Prince Consort and Lord Palmerston, they put down taverns on their estates, did they not?—Yes, and with the same result: have no direct authority for that; my authority is the charge delivered by Archdeacon Sanford to the clergy of his archdeaconry; he is a man of high character, and a man of great ability, and he states that as an undeniable fact. I mention another fact, which has been repeatedly stated in the reports of the clergy of the Church of Scotland, that where taverns are put an end to drunkenness ceases, and that where they are re-introduced, drunkenness begins again.

8748. Although you advocate such extensive measures as those which in your opinion would be advantageous, still you would admit such an amendment of the law as is now proposed, and you think that it would probably be useful?—In a free country, I think, a man must be insane if he tries to obtain improvements upon which his own mind is set unless public opinion would go with him. I merely express my own private opinion. There are many gentlemen who are for entire prohibition; and I am not sure but what I may come to the conclusion that entire prohibition is right. But my impression at present is, that it is not necessary; that if you allow people to use wine and spirits at home there would be no drunkenness. Perhaps it may be injurious to the health of the people, but there would be no drunkenness. I do not see that the State can interfere with that; but it should interfere to put down drunkenness, and I think that it would be put down by prohibiting drinking on the premises.

8749. You think that the Legislature ought to encourage the union, instead of the separation of families, which arises from their opening of 160,000 drinking places on Sunday?—My general opinion is, and I have already expressed my general opinion, that the remedy for the evil of suppressing drinking on the premises, which is a less extensive measure than those measures which were adopted by the late Prince Consort, and Lord Palmerston, and Lord Penrhyn, namely, suppressing taverns altogether. To close them for drinking on the premises is a more lenient measure than to suppress them.

8750. Under Lord Westbury's Act of 1861 jurisdiction was given to you as a county court judge in bankruptcy?—Yes.

8751. Have you turned your attention to the effect of drinking upon bankruptcy?—Yes, I have. I am exceedingly sorry that, owing to extreme illness, from which I am not free yet, I have not had time to get together all those statistical details that I could have wished, because I had no anticipation that I should be examined before this Committee. But still I have addressed a circular letter to my registrars and high bailiffs, and, in order that the Committee may understand that letter, I ought to state that I have 16 court towns and a very large district to travel over

and in each of those court towns there are officers, called registrars, whose duty it is to enter plaints, to receive money from defendants, and afterwards to pay it over to the plaintiff, and to take the minutes of the court. Those officers must all be solicitors of respectability, and are appointed by the judge, and the appointments are subject to the revision of the Lord Chancellor. After the time that I had an intimation that I was to be examined by this Committee, which, I am sorry to say, has been a great infliction to me, although I feel very strongly my own opinion upon this particular question, I addressed a letter to those gentlemen, most of whom had been appointed by myself, and most of whom are experienced men. The result of their returns is that, in their opinion, about one-fourth of the cases of bankruptcy in the county courts have arisen from drunkenness, and another fourth in part measure, from drunkenness, and tippling, and the remainder from other causes; that is to say, that one-half of the cases of bankruptcy in the county courts have arisen wholly from drinking, or in part from drinking.

752. It has been suggested to me, that I am informing you upon the general effect of drink-houses rather than upon the Sunday drinking, which is the measure referred to this Committee; will you confine your observations to that subject?—I wish to make one remark; I use this observation perhaps may mislead the Committee with regard to my views about bankruptcy being caused by drunkenness. The cases in the county court are cases where the debts do not exceed 300*l*. In cases where the debts are large, I should think that drinking would have less to do with it, and it would then be taken from rash speculation, or something of that description more commonly.

753. You must have ample means of knowing the wishes and wants of the working men themselves in reference to further restriction?—Certainly, in the principality; I cannot speak of any district except that which I know; of course, any opinions I may express may be quite different from those of persons who are acquainted with other districts in the kingdom. But I am certain that there is scarcely a working man throughout North Wales, and as I believe, throughout South Wales, that is not in favour of the Bill, or of entire closing; and I am quite prepared, if I am asked, to give my reasons for that opinion.

754. Will you be so good as to do so?—I have been very much pressed to give evidence upon the Bill by several gentlemen who take a very great interest in the cause of temperance, and my reply was, that it was a subject upon which there were many persons who had had a much longer and longer experience than myself, and I did not see what value this Committee could attach to my opinion, though it might possibly be quite right. That the only way I could aid would be by presenting to them a well authenticated proof of the real opinions of the country, particularly of the working classes, and I pressed an intimation to some of the friends of the day closing in North and South Wales, that I would state the public sentiment to the Committee, if they would give me the means of doing in such a shape that I could really vouch for the expression of opinion. What I required was; I saw that many canvasses had been taken in, and that many of them, perhaps,

were untrustworthy, and I required as a condition of my giving evidence before this Committee (and of course I am compelled so to do), that the views of a great number of places should be declared, those of every parish, or of as many parishes as might be reasonably accepted, as a standard of the general sentiment of the country. And, in my own judgment, a few examples from each neighbourhood afford as good a test on the subject as if you had returns from every parish. This condition was complied with. In all the principal towns of North Wales, and, I believe, of South Wales, a canvasser was selected who was either known to myself personally, or who was a man who held some public office, or who was a person of unquestionable respectability, and he was made answerable for the canvass. Under him there were employed by him, according to his own judgment, a certain number of other persons to assist in this canvass. The course pursued was to leave a certain ticket at each house, and those tickets were called for the next day. I have seen many of those returns, which, in my own mind, I have not the slightest doubt were perfectly authentic, and perfectly correct returns of the opinions of the inhabitants. But the summons which I have received to give evidence was so sudden at last, that I could not arrange or compile them, and I could not see them all. But during the few moments that I could spare on the half-day before I left home, I managed to arrange together what I consider a very fair specimen of those opinions, and I am as certain as I can be of anything, depending upon the word and authority of others, that the returns are perfectly correct. I have in my hand a return of that description from 11 towns in North Wales and three towns in South Wales. One of the returns is from the town of Aberystwith, where the number of inhabited houses is 1,545; number of replies "Yes," 1,477; "Noes," 12; then there is a column for those who "did not vote, owing to absence, loss of voting papers, neutrality," &c., amounting to 56; I may say that only householders signed. The chief canvasser in that case was Mr. John Williams, a draper, and secretary to the Life Boat Association. This is a town where I have been county court judge for 21 years, and I know that gentleman to be a man of the greatest respectability; I know also that the persons who assisted him in the canvass were persons whose respectability is beyond all reproach. This canvass was on the subject of closing generally. I do not know exactly what the form of schedule at Aberystwith was, but the schedules were different in different places; some were for Sunday closing generally, and some were for Sunday closing according to Mr. Abel Smith's Bill. But the opinion generally was for closing altogether; and there were very few who would prefer the present Bill to closing altogether on Sunday.

8755. Mr. *Locke*.] Was it for closing every day in the week?—There was no question as to closing every day in the week; that was merely my own expression of opinion. I may hand in this return as a specimen of the rest, and the Committee will observe that at Llanfyllin, the canvassers were the clergyman of the parish who is also rural dean and a man of the highest character, and Mr. Jones, a draper. I will hand in this as a summary of the whole (*handing in the same*). I thought that the most important thing was to show the number of houses and the

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number of persons who said "Yes" out of the inhabitants of those houses, and the results generally show nine-tenths in favour, or, I may say, 14 out of 15, an enormous proportion in every instance.

8756. *Mr. John Abel Smith.*] Has the question of the unfairness of further restriction been brought before the people of Wales with reference to the gentlemen's clubs, which are kept open on Sunday?—Yes; but that question was never raised by the working man. I am told by all those canvassers that the working men are universally for closing altogether on Sunday.

8757. They do not consider that argument worthy of their attention?—No. The universal belief is that it will save them from great temptation, particularly on the part of men of intemperate habits. I have never heard of working men speaking of the clubs of the higher classes.

8758. Do you think it the duty of the Legislature to attend to, and to encourage the wishes of the people with reference to Sunday closing?—Of course, my own opinion has been in accordance with that. I do think so; I may, of course, be wrong in that opinion.

8759. In Bala, the district registrar testifies that Sunday drinking was almost unknown in that district until eight or 10 years ago; is that true?—Yes, I believe so. I have no authority for it except himself, but he is a very respectable man.

8760. And that Sunday drinking has increased, and is increasing seriously, as shown by the cases of the defendants during last year; do you know what the cause of that was?—It was this. Some time ago, all the publicans in the district signed an agreement that they would not sell liquor at all upon Sunday; some of them have died, or gone away, and their licenses have passed into other hands, and the new comers have opened the public-houses on Sundays which has led to fresh drinking.

8761. Do you not find that the temptations offered by public-houses, neutralise altogether the efforts of those who are making exertions to diminish drunkenness?—I should be very far from saying that they neutralise them altogether. I should say that it is a sort of drawn battle. The country would be in a dreadful state but for the exertions of those who use moral suasion to stop drinking. But if you close the public-houses, as is shown in the instances which I have mentioned, it does more than all the moral suasion in the world; it puts an end to it at once.

8762. Let me ask you to attend to me while I try to give a summary of what I conceive to be the opinion which you wish to express before this Committee: that the study and business of your life has tended to make you intimately acquainted both with the condition and the feelings of the population of North Wales; that you have taken all possible means in your power to learn the present feeling of the population of that district; and that you confidently believe that that feeling amongst the working men is all but unanimous in favour of increased restriction upon Sunday drinking?—My opinions are formed much less upon my own immediate observation than upon those returns. I may say that I did not expect, and I was not prepared for, such unanimity among the working classes upon the subject. But these returns I can implicitly rely upon, for this reason, that if there has been some mistake or some indiscretion on the part of some individual canvasser, it cannot affect the general

result, because the individuals who have conducted this canvass are either persons whom I know personally, or they are persons whose character I have the means of sifting and testing through my personal friends; and I know that a great number of canvassers have been employed, and that every pains has been taken to select respectable men.

8763. You believe that the canvassers give a fair picture of the state of opinion in North Wales, and you believe that the same opinion exists in South Wales?—I should say so, from the returns that I received; but I have not the same means of testing them in South Wales as I have in North Wales.

8764. Has there not been a very remarkable instance in the slate quarries of Festiniog of the feeling of the people in favour of Sunday closing?—Yes; I had Festiniog in my mind. Out of 1,270 householders, 1,260 voted for Sunday closing; nearly all persons employed in the quarries, and almost all labouring men.

8765. With regard to the effect of saving the expenditure of wages on Sunday drinking in its results upon the habitations of the poor, have you anything to say?—Yes, I have a very strong statement to make upon that subject; and I have some very important information with respect to the district of Festiniog. There were articles in "The Times" not long since as to the fever that raged there, and it was ascribed, and I believe justly, to the want of cottage accommodation. Of late a great number of very commodious houses have been built, a large portion of which have been built by the sober portion of the very quarrymen who have signed in favour of this Bill, and many of those houses have become the property of the individuals who have built them, and have become their freeholds.

8766. *Mr. Locke.*] Were they built by building societies?—Some were by building societies and some they have themselves built out of their own savings. And the same remark applies to the neighbourhood of Bangor, and also to South Wales; but the sober men very commonly possess the most commodious houses, which they either inhabit themselves or let to somebody else, whilst the drunken men spend their money in drink. I do not say [that that arises entirely from Sunday drinking, but from drinking generally one day as much as the other.

8767. *Mr. John Abel Smith.*] Have you read the Bill which is before this Committee?—Yes.

8768. Do you consider it on the whole, a reasonable and moderate measure?—Yes, I think so.

8769. Do you see any difficulty in carrying it into effect?—I should say not; of course I speak of my own district, I cannot speak of any other. I would not give evidence as regards the metropolis or manufacturing towns; I only give the views of those districts whose views I have tested. I think there could be no difficulty in carrying out this measure, which is less restrictive than those which the people themselves ask for. As regards the inhabitants of the metropolis I cannot give evidence, but I do not see what they can have to complain of in such a Bill.

8770. Looking to your experience, your opinion is valuable as to the working out of the details; would there be any difficulty in it, do you think?—There is one point which I will refer to: I heard the witness who was examined before me say that the question as to what was meant by a "traveller" had never been settled.

regards excursionists, it was settled by the opinion of Chief Justice Erle and the Court of Common Pleas that an excursionist might have exemption under the existing law during the performance of Divine service, as the Court considered a person who went out for a day, thirty miles and came back again to be a traveller; unless intent for the express purpose of drinking. This was the decision of the Court of Common Law, and it seems to me to be a very liberal interpretation, and a very clear interpretation.

71. Do you think that there would be any fault about a *bonâ fide* meal?—Not as a legal rule; very often there would be a difficulty, no doubt, as to the evidence, but there is great harm if a Bill of this sort does not catch a person who breaks the law, because the Bill itself is merely a means of preventing a great evil.

The breach of an Act of this kind is not like the breach of the law of theft. If a thief escapes it is a great evil, but if a man drinks a little beer now and then without eating with it, it is only what the law calls *malum prohibitum*; it is not *malum in se*. This bill would form a sufficient obstacle to ordinary tavern drinking in practice.

72. Then, having made this statement, you would also to express your ardent desire that the Bill of Commons may pass, either in whole or in part, the Bill now referred to this Committee?—Sincerely.

73. And you believe that its rejection would be a great disappointment to a very large number of people?—Of course it would give rise to dissatisfaction to all those who have so strongly expressed their opinion in its favour. There is one fact which I ought to mention, that in the towns in the list I have handed in the publicans generally express themselves in favour of it. In some towns they have declared themselves in favour of it almost to a man, and in every town there is a large proportion in favour of it. I believe all those of the highest standing and repute are in favour of it, and in many there is scarcely a dissentient voice. In Aberystwith it was so, and in Festiniog it was so. As a general rule, the publicans signed in favour of the Bill, they wished to have a day of rest, in fact they were in favour of entire closing on Sunday.

74. Has Lord Penrhyn closed all public-houses on his property?—He has gradually closed them off. I understand that there is a district of about 15 miles on his property, where there is not a public-house to be seen.

75. And that has worked usefully?—No doubt; in that neighbourhood it is considered the greatest blessing possible by the working people themselves.

76. Mr. Locke.] Lord Penrhyn has not closed all the public-houses at Bangor, has he?—Not, I believe, all.

77. The "Penrhyn Arms" is still open, is it?—Yes, the "Penrhyn Arms" is open, that is for the accommodation of travellers; he has closed every house.

78. Do you mean to say that nobody ever goes to the "Penrhyn Arms," unless they are travellers?—I do not know about that.

79. Are there any public dinners at the "Penrhyn Arms"?—Yes, no doubt.

80. Then, according to your proposition to do away entirely with the social drinking, they would no longer have any public dinners at the "Penrhyn Arms"?—Perhaps you will allow me to say.

to explain what I mean; I did not say that Lord Penrhyn had put an end to all public-houses, altogether, on his estate; what I said was, that he was gradually weeding them out, and I was informed that there was a district of about 15 miles, where there were no public-houses at all, and of course most of the people in that district were so far from a public-house, that they had no opportunity of habitual drinking.

81. However it was not his intention to put them all down?—I cannot tell you what his intention was.

82. Is it his intention to put down the "Penrhyn Arms"?—I should think not.

83. I think there is a large hotel at the top of the town, is there not?—I do not know anything about that hotel.

84. He would have some difficulty in putting that down, as, I believe, it does not belong to him?—That is his difficulty, I believe, as regards other taverns, that do not belong to him.

85. That hotel, at the top of the town, is now a very large hotel indeed, is it not?—I have not been at Bangor for some time, I am not aware.

86. Then you yourself have not seen the great changes there?—I have not had an opportunity.

87. You take it upon hearsay?—I take it upon hearsay.

88. In fact, most of the evidence which you have given is upon hearsay?—History is hearsay and nothing else.

89. Do you say that, in Wales, the people never get drunk at home?—No, I did not say any such thing. It was a slip of the tongue; but I corrected myself. I said I hardly ever knew a case of the kind. I was speaking of working people.

90. You would not be very likely to know what people did in their own homes, would you?—That again is hearsay; but certainly a man who lives in the country must learn something.

91. Men who drink at home would not come and tell you, I presume?—No.

92. Therefore what the people do in their homes you cannot tell?—I have the same means of knowing their habits, as you have of knowing the habits of the people among whom you live.

93. But the Welsh people are not a sober people, are they?—They are sober where the taverns are put down.

94. They are sober when they cannot get anything to drink?—Yes; and so would every man be; that is my proposition.

95. You would be in favour of putting an end to all drinking?—Yes.

96. Are you a teetotalter?—No; I mean all drinking in taverns, where people excite each other to drunkenness, and where the landlord does so.

97. But supposing there is a public dinner there?—That is a great evil.

98. Do you ever go to any?—Yes, not often, never when I can help it.

99. But you cannot help it sometimes?—No.

800. Then you commit a great evil?—I consider it a great evil; I do not commit the evil.

801. But you compound for it by stopping all those poor people?—It is a composition for which they

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A. J. Johns, Esq., they do not ask any equivalent, it is their own request.

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8803. What forces you to go?—I do not know that anything has forced me for the last 10 years; I do not know that I have been at a public dinner for the last ten years.

8804. You have been, I suppose, at a tavern during the last 10 years?—Yes, on my circuit I have.

8805. And there you take your wine, I suppose?—Yes.

8806. And whatever you like?—Yes.

8807. That is not consistent, is it, with your principle?—I do not maintain the principle regards a traveller.

8808. You think that a traveller has a right to get drunk?—Excuse me, I did not say so.

8809. The traveller is to do as he likes?—Of course, it is his own home; I say it is the custom of society that drives people to drunkenness.

8810. It does not always do so, does it?—It has that tendency.

8811. It sometimes makes him comfortable, does it not?—No, I do not think it makes him comfortable. In public houses the society they meet with is very degrading, and can do man any good.

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Paper handed in by Captain W. H. Palin, and referred to in his Evidence of 29 April 1868 :	
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A P P E N D I X.

Appendix, No. 1.

PAPERS handed in by Sir *Richard Mayne*, 22 April 1868.

METROPOLITAN POLICE.

RETURN showing the Number of PERSONS charged with being Drunk during the Years 1831 to 1840 inclusive.

YEARS.	Number of Persons Charged with being Drunk and incapable of taking Care of themselves.						Total Number Charged.			Estimated Population.	REMARKS.
	Taken before Magistrates.			Discharged by Superintendents when Sober.							
	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.		
1 - -	5,420	2,146	7,566	14,328	9,459	23,787	19,748	11,605	31,353	1,523,875	The cases were dismissed by Superintendents only to 29 August 1833, after that day they were all taken before the Magistrates. There is no heading in the Criminal Returns for drunk and disorderly until the year 1844.
2 - -	4,893	2,041	6,934	15,411	10,291	25,702	20,304	12,332	32,636	1,551,700	
3 - -	7,535	3,858	11,393	10,733	7,754	18,487	18,268	11,612	29,880	1,579,525	
4 - -	12,679	7,100	19,779	-	-	-	12,679	7,100	19,779	1,607,350	
5 - -	14,271	7,523	21,794	-	-	-	14,271	7,523	21,794	1,635,175	
6 - -	15,867	6,861	22,728	-	-	-	15,867	6,861	22,728	1,663,000	
7 - -	14,021	7,405	21,426	-	-	-	14,021	7,405	21,426	1,690,824	
8 - -	14,296	6,941	21,237	-	-	-	14,296	6,941	21,237	1,718,649	
9 - -	13,952	7,317	21,269	-	-	-	13,952	7,317	21,269	1,746,474	
0 - -	10,663	5,842	16,505	-	-	-	10,663	5,842	16,505	2,084,312	
TOTAL -	113,597	57,034	170,631	40,472	27,504	67,976	154,069	84,538	238,607		

Metropolitan Police Office, }
7 April 1868.

Thos. Kittle, Superintendent.

RETURN shewing the Number of PERSONS charged with being DRUNK, and for being DRUNK and DISORDERLY, during the Years 1858 to 1867 inclusive.

YEARS.	Number Charged with being Drunk, and incapable of taking Care of themselves.			Number Charged with being Drunk and Disorderly.			Total Number Charged for both Offences.			Estimated Population.	REMARKS.
	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.		
58 - -	5,004	4,761	9,765	6,180	4,884	11,064	11,184	9,645	20,829	2,952,007	(Census Tables 1861.)
59 - -	4,740	4,532	9,272	5,348	4,159	9,507	10,088	8,691	18,779	3,007,590	
60 - -	4,782	4,574	9,356	4,941	3,902	8,843	9,723	8,476	18,199	3,063,172	
61 - -	4,228	3,961	8,189	5,216	3,654	8,870	9,444	7,615	17,059	3,118,754	
62 - -	4,448	4,177	8,625	5,945	3,742	9,687	10,393	7,919	18,312	3,174,336	
63 - -	3,909	3,933	7,902	5,990	3,759	9,749	9,959	7,692	17,651	3,229,918	
64 - -	4,521	4,344	8,865	5,953	3,963	9,916	10,474	8,307	18,781	3,285,500	
65 - -	4,695	4,360	9,055	6,016	4,186	10,202	10,711	8,546	19,257	3,341,082	
66 - -	4,447	4,285	8,732	5,663	3,988	9,651	10,110	8,273	18,383	3,396,664	
67 - -	4,270	4,146	8,416	4,833	3,692	8,525	9,103	7,838	16,941	3,452,246	
TOTAL -	45,104	43,073	88,177	56,085	39,929	96,014	101,189	83,002	184,191		

Metropolitan Police Office, }
7 April 1868.

Thos. Kittle, Superintendent.

RETURN of the Number of PERSONS apprehended for DRUNKENNESS, and DRUNK and DISORDERLY in the METROPOLITAN POLICE DISTRICT, during the Year 1866 (viz., from 1st January to 31st December) distinguishing the Average Number apprehended on Week-days and Sundays; also the Average Number brought to Stations for same Offence, but not detained during same Period; and Number of Public-houses and Beerhouses in the Metropolitan Police District.

(Prepared from Police Criminal Returns supplied by Superintendents of Divisions for Sunday Public-house Closing League, Manchester. See Authority Correspondence Office).

Total Number of Persons Apprehended for Drunkenness, and Drunk and Disorderly.	Average Number Apprehended on Sundays, [12 o'clock Saturday Night to 12 o'clock Sunday Night.]	Average Number Apprehended on Week-days.	Average Number of Refused Charges on Sundays.	Average Number of Refused Charges on Week-days.	Number of Public-houses.	Number of Beerhouses.	Total Number of Public-houses and Beerhouses.
18,383	97 *	42.6	00 †	1.3 ‡	6,479	4,207	10,686

* This is the number of persons apprehended between 12 o'clock Saturday night and 12 o'clock Sunday night, 1st July 1866, and is taken as the average number throughout the year.

† There were no refused charges on this particular day, 1st July 1866.

‡ This average is obtained by taking the six days, between 2nd and 7th July, inclusive.

Metropolitan Police Office, }
29 October 1867.

Thos. Kittle,
Superintendent.

RETURN of the Number of PERSONS apprehended by the METROPOLITAN POLICE for being DRUNK, and DRUNK and DISORDERLY, during the Year 1867; the Average Number during the Six Days of the Week; the Number on Sundays; and Average Number per Week-day and Sunday.

During the Year.	Six Days of Week.	Sundays, 4 A.M. to 4 A.M. on Monday.	Average Number.	
			Week-day.	Sunday.
16,941	300.7 *	25 †	50.1	25

* This average is obtained by dividing the total number of persons apprehended by 52, and deducting the number apprehended on Sundays.

† This is the number of persons apprehended during the 24 hours between four o'clock on Sunday morning 15th, and four o'clock on Monday morning 16th December 1867, and is taken as the average number throughout the year. The great discrepancy between these numbers and those supplied in October last, are in consequence of the time being altered from 12 o'clock Saturday night to four o'clock Sunday morning.

RETURN of the Number of PUBLIC-HOUSES and BEERSHOPS in the METROPOLITAN POLICE DISTRICT; also the Number reported as being Disorderly.

Number of Public-houses.	Number of Beershops.	TOTAL.	Known to be Disorderly.
6,549	4,421	10,970	59

Metropolitan Police Office, }
5 March 1868.

Thos. Kittle,
Superintendent.

Appendix, No. 2.

PAPERS handed in by Major Greig, 29 April 1868.

TABLE showing the Number of PUBLIC and BEER HOUSES within the Borough of *Liverpool* during the last Ten Years (the Police Year ends the 29th of September), the Number doing Business, the Number not doing Business being Untenanted, or undergoing Alterations, &c.; the Number of Informations laid, and the Amount of Fines. In the case of Public Houses, it also shows the Number of Licenses Granted, and the Number taken away during the same Period, and the Number of Persons taken into Custody for being Drunk; those Proceeded against by Summons; those who were More or Less Intoxicated when taken to Bridewell, but allowed to go, for reasons recorded; and those who were Drunk when taken to Bridewell charged with graver Offences; these two latter Classes are given for the last Two Years only.

Year.	Public Houses.							Beer Houses.					Drunkenness.				
	Number.		Total Licensed.	Licenses.		Informations Laid.	Amount of Fines.	Number.		Total Licensed.	Informations Laid.	Amount of Fines.	Taken into Custody.	By Summons.	Refused Charges; Persons being Drunk.	Cases where Drunkenness is Merged in other Offences.	TOTAL.
	Doing Business.	Not doing Business.		Granted.	Taken Away.			Doing Business.	Not doing Business.								
1858	1,494	18	1,512	25	6	204	32	899	33	932	773	194	9,550	279	-	-	9,829
1859	1,494	32	1,526	17	2	170	52	893	54	947	770	247	10,470	567	-	-	11,037
1860	1,512	31	1,543	23	6	164	68	894	32	926	752	192	10,112	851	-	-	10,963
1861	1,524	43	1,567	28	4	141	54	911	27	938	733	213	9,022	810	-	-	9,832
1862	1,518	149	1,667	124	24	155	209	968	37	1,005	683	268	11,322	754	-	-	12,076
1863	1,618	63	1,681	30	16	148	75	918	46	964	677	506	13,043	871	-	-	13,914
1864	1,769	68	1,837	147	14	142	126	827	43	870	752	957	13,278	724	-	-	14,002
1865	1,771	37	1,808	126	8	208	167	843	56	904	1,128	1,630	13,156	766	-	-	13,922
1866	1,889	44	1,933	22	20	192	174	805	68	873	1,019	1,261	11,660	672	2,774	2,454	17,560
1867	1,881	61	1,942	9	10	122	77	729	90	819	673	893	11,361	571	2,683	2,562	17,177

Hours of closing Public and Beerhouses:—

Public-houses.—From 1 to 4 a.m. week days; Sundays, from midnight, Saturday, to 1 p.m. Sunday; from 3 to 5 p.m., and from 11 p.m. Sunday, to 4 a.m. Monday.

Beerhouses.—From 11 p.m. to 5 a.m. week-days; Sundays, same hours as public houses.

BOROUGH OF LIVERPOOL.

A RETURN of INQUESTS held upon INFANTS found Suffocated in Bed with their Parents, on each Morning of the Week, for the Year 1867. The term Suffocated includes those Children overlain.

Sunday	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	36
Monday	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	16
Tuesday	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	13
Wednesday	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15
Thursday	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15
Friday	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	15
Saturday	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	17
TOTAL																	127

The large number on Sunday mornings may be in a great measure attributed to the Saturday night's debauch.

(signed) *Benjamin Ride,*
Chief Superintendent.

LIVERPOOL CONSTABULARY FORCE.

RETURN showing the Number of PERSONS taken into CUSTODY for DRUNKENNESS, and for OFFENCES in which the Charge of DRUNKENNESS was merged in a graver Offence, from the Year 1853 to 1867 inclusive, distinguishing those Apprehended between the Hours of 4 A.M. on Sundays and 4 A.M. on Mondays from those Apprehended during the Remainder of the Week, with a Table of Refused Charges for the same Years.

YEARS.	From 4 A.M. Sundays to 4 A.M. Mondays.						From 4 A.M. Mondays to 4 A.M. Sundays.						TOTAL Apprehensions for the Year.						GRAND TOTAL.						REFUSED CHARGES.											
	Drunkenness.			Offences in which Drunkenness is Merged.			Drunkenness.			Offences in which Drunkenness is Merged.			Drunkenness.			Offences in which Drunkenness is Merged.			TOTAL.			Drunkenness.			Offences in which Drunkenness is Merged.			TOTAL.								
	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.	Males.	Females.	TOTAL.						
1853 -	700	341	1,041	190	89	229	4,175	2,888	7,063	1,083	318	1,406	4,875	3,229	8,104	1,278	357	1,635	6,153	3,586	9,739	946	310	1,256	156	34	190	1,446								
1854 -	570	352	922	219	52	271	4,687	3,447	8,134	1,566	481	2,047	5,257	3,799	9,056	1,785	533	2,318	7,042	4,332	11,374	965	473	1,438	203	74	277	1,715								
1855 -	504	236	740	171	51	222	4,790	3,749	8,539	2,061	540	2,601	5,294	3,985	9,279	2,232	591	2,823	7,526	4,576	12,102	1,050	441	1,491	137	19	156	1,647								
1856 -	502	325	827	289	65	354	4,393	3,755	8,148	2,292	708	3,000	4,897	4,080	8,977	2,581	773	3,354	7,478	4,553	12,331	1,152	524	1,676	232	56	288	1,964								
1857 -	458	262	720	254	68	322	4,019	3,344	7,363	2,317	729	3,046	4,477	3,606	8,083	2,571	797	3,368	7,048	4,403	11,451	1,067	502	1,569	345	109	454	2,023								
1858 -	406	220	626	213	83	296	3,783	3,257	7,040	1,890	658	2,548	4,189	3,477	7,666	2,103	741	2,844	6,292	4,218	10,510	1,128	597	1,725	360	100	460	2,185								
1859 -	488	274	762	302	102	404	3,892	3,590	7,482	2,624	1,061	3,685	4,380	3,864	8,244	2,926	1,163	4,089	7,306	5,027	12,333	1,053	495	1,548	280	74	354	1,902								
1860 -	487	270	757	298	105	403	3,831	3,358	7,189	2,493	903	3,396	4,318	3,628	7,946	2,791	1,008	3,799	7,109	4,636	11,745	938	547	1,465	313	86	399	1,884								
1861 -	442	267	709	271	82	353	3,283	3,035	6,318	2,523	924	3,447	3,725	3,302	7,027	2,794	1,006	3,800	6,519	4,308	10,827	894	397	1,291	308	73	381	1,672								
1862 -	604	352	956	241	96	337	4,001	3,518	7,519	2,280	811	3,091	4,605	3,870	8,475	2,521	907	3,428	7,126	4,777	11,903	1,038	497	1,533	365	89	454	1,989								
1863 -	645	413	1,058	307	118	425	5,111	4,374	9,485	2,130	1,265	3,395	5,756	4,787	10,543	2,437	1,383	3,820	8,193	6,170	14,363	1,084	519	1,603	432	122	554	2,157								
1864 -	746	325	1,071	272	102	374	5,921	4,589	10,510	2,558	873	3,431	6,667	4,914	11,581	2,830	975	3,805	9,497	5,889	15,386	1,182	593	1,775	465	130	595	2,370								
1865 -	613	343	956	295	92	387	5,234	4,149	9,383	3,232	1,269	4,501	5,847	4,492	10,339	3,527	1,861	4,888	9,374	5,853	15,227	1,159	612	1,771	497	103	600	2,371								
1866 -	514	285	799	271	87	358	4,223	2,662	6,885	3,340	1,861	5,201	4,737	3,947	8,684	3,611	1,948	5,559	8,348	5,805	14,243	1,199	717	1,916	428	107	535	2,451								
1867 -	401	250	651	290	105	404	3,534	3,227	7,061	3,164	2,284	5,468	4,235	3,477	7,712	3,483	2,389	5,872	7,718	5,866	13,584	1,106	675	1,781	406	162	568	2,349								

Appendix, No. 3.

PAPERS handed in by Mr. *E. Jackson*, 29 April 1868.

BOROUGH OF SHEFFIELD.

RETURN showing the Number of PERSONS proceeded against before Justices for DRUNKENNESS during the last Twenty Years, distinguishing those who during the last Ten Years were Drunk on Sundays from those who were Drunk on other Days of the Week.

Y E A R.	TOTAL.	On Sundays.		Other Days.		Population.	Proportion of Drunkards to Inhabitants.	REMARKS.
		Males.	Females.	Males.	Females.			
848 - - -	1,072	-	-	-	-	129,014	1 in 120·3	
849 - - -	970	-	-	-	-	131,434	1 in 135·5	
850 - - -	1,110	-	-	-	-	133,854	1 in 120·5	
851 - - -	1,312	-	-	-	-	136,287	1 in 103·8	
852 - - -	1,622	-	-	-	-	141,146	1 in 87·0	
853 - - -	1,433	-	-	-	-	146,018	1 in 101·1	
854 - - -	1,186	-	-	-	-	150,893	1 in 127·2	
855 - - -	896	-	-	-	-	155,765	1 in 173·8	
856 - - -	830	-	-	-	-	160,637	1 in 193·5	
857 - - -	1,065	-	-	-	-	165,509	1 in 155·4	
858 - - -	881	78	14	690	99	170,381	1 in 193·3	
859 - - -	1,009	116	23	753	112	175,256	1 in 154·6	
860 - - -	875	126	18	611	120	180,128	1 in 205·8	
861 - - -	965	154	29	675	107	185,157	1 in 191·8	
862 - - -	794	128	36	541	89	190,833	1 in 240·3	
863 - - -	1,109	141	39	786	143	196,666	1 in 177·3	
864 - - -	952	118	33	679	122	202,500	1 in 212·7	
865 - - -	1,113	151	33	761	168	208,333	1 in 187·1	
1866 - - -	931	101	29	636	165	214,166	1 in 230·0	
1867 - - -	863	84	20	608	145	220,000	1 in 254·9	

BOROUGH OF SHEFFIELD.

RETURN showing the Number of PUBLICANS and BEERSELLERS Fined during the last Ten Years, distinguishing the Convictions for Offences on the Sundays from those of other Days of the Week.

YEAR.	LICENSED VICTUALLERS.			BEERHOUSE KEEPERS.			Total Convictions against Licensed Victuallers and Beerhouse Keepers.	REMARKS.
	Total Convictions.	On Sundays.	Other Days.	Total Convictions.	On Sundays.	Other Days.		
1858 - -	35	25	10	68	35	33	103	
1859 - -	81	55	26	136	45	91	217	
1860 - -	72	46	26	167	61	96	229	
1861 - -	73	41	32	125	38	87	193	
1862 - -	45	30	15	133	69	64	178	
1863 - -	97	53	44	234	103	131	331	
1864 - -	66	40	26	138	75	63	204	
1865 - -	65	24	41	108	62	46	173	
1866 - -	59	25	34	124	67	57	183	
1867 - -	62	26	36	105	70	35	167	
	655	365	290	1,328	625	703		

Appendix, No. 4.

PAPER handed in by Captain *W. H. Palin*, and referred to in his Evidence of 29 April 1868.

CITY OF MANCHESTER.

Chief Constable's Office, Town Hall, Manchester,
2 May 1868.

RETURN of the Number of APPREHENSIONS for Drunkenness, Drunk and Disorderly, Drunk in charge of Carts, &c., and Prostitutes Drunk and Disorderly, for the Six Years ending the 31st December 1867, within the City of *Manchester*.

PERIOD.	Apprehensions.			Per Centage of Apprehensions.		Average Number per Diem.	
	TOTAL.	Between 1 p.m., Sunday, and 4 a.m., Monday.	Between 4 a.m., Monday, and 1 p.m., Sunday.	Per Cent. between 1 p.m., Sunday, and 4 a.m., Monday.	Per Cent. between 4 a.m., Monday, and 1 p.m., Sunday.	Average Number between 1 p.m., Sunday, and 4 a.m., Monday.	Average Number between 4 a.m., Monday, and 1 p.m., Sunday.
31 Dec. - 1862	6,527	608	5,919	9·31	90·68	11·69	18·97
31 „ - 1863	5,833	637	5,196	10·92	89·07	12·25	16·65
31 „ - 1864	5,872	630	5,242	10·72	89·27	12·11	16·80
31 „ - 1865	6,554	768	5,786	11·71	88·28	14·76	18·54
31 „ - 1866	9,244	1,018	8,226	10·01	88·98	19·57	26·36
31 „ - 1867	11,495	1,133	10,362	9·85	90·14	21·78	33·21
TOTALS for the Six Years - }	45,525	4,794	40,731	63·52	536·42	92·16	130·53
Annual Average -	7,704	799	6,905	10·5	89·4	15·3	21·7

Note.—The apprehensions from 12 o'clock, Sunday night, to 4 a.m., Monday, for the three years ending December 1867, were 671; or, at the rate of 4·3 per Sunday.

W. Henry Palin,
Chief Constable.

Appendix, No. 5.

PAPERS put in by Sir *Richard Mayne*, K.C.B.

App. No. 5.

RETURN of the Number of SPECIAL LICENSES granted under the "PUBLIC-HOUSE CLOSING ACT, 1864," to the 31st day of March 1868.

Number of Licenses Granted.	Number of Licenses Refused.	Number of Applications Withdrawn.	Number of Keepers of Beerhouses who have Applied for Licenses.	TOTAL NUMBER of Applications.
2,944	521	41	25	3,531

4 Whitehall-place, 27 April 1868.

*Richard Mayne.**E. G. May*, Chief Clerk.

METROPOLITAN POLICE.

C. of ST. JAMES'S DIVISION SPECIAL REPORT.

Station House, 28 April 1868.

I HAVE to report, for the information of the Commissioner, that the Public-house Closing Act of 1864 has acted beneficially in a very marked manner in this Division; but I observe that on Saturday and Sunday nights, when the houses of licensed victuallers are closed at 12 and 11 o'clock respectively, that many persons resort to different refreshment houses until 1 a.m. on those nights, and I have reason to believe that wine, spirits, and beer are sold in most of those places without a license, and of which the Excise authorities do not take any active steps.

I beg most respectfully to suggest that, in the event of any alteration of the law, that no refreshment-house should be allowed to remain open for sale or consumption of any article whatsoever when the houses of licensed victuallers are compelled by law to be closed.

S. Hannant, Superintendent.*Richard Mayne.*

METROPOLITAN POLICE.

RETURN of the Number of SUMMONSES taken out by POLICE during the Year 1867 against the KEEPERS of PUBLIC-HOUSES and BEERHOUSES for permitting DRUNKENNESS or DISORDER in their Houses, and Results before Magistrates.

—	Number of Summonses taken out by Police.	RESULTS BEFORE MAGISTRATES.											
		5 l. and Costs.	4 l. and Costs.	60 s. and Costs.	50 s. and Costs.	40 s. and Costs.	20 s. and Costs.	10 s. and Costs.	8 s. and Costs.	7 s. 6 d. and Costs.	Costs.	Dis- missed.	With- drawn.
Public-houses -	16	1	1	-	1	3	3	2	-	-	1	4	-
Beerhouses -	20	-	-	1	1	3	4	1	1	1	2	4	2

Metropolitan Police Office, 4, Whitehall-place, }
1 May 1868.*Richard Mayne.**Thos. Kittle*, Superintendent.

METROPOLITAN POLICE.

RETURN of the Number of Offences between the Hours mentioned on Sunday, Monday, and Wednesday Nights, for which POLICE proceeded against KEEPERS of the Houses under the PUBLIC-HOUSE CLOSING ACT, 1864, or POLICE or BEERHOUSE ACTS.

DIVISION.	Total Number of Offences Committed during the Year, on Saturday Nights, after 12 o'Clock to 6 a.m. Monday.			Result of Cases before Magistrate.		Total Number of Offences committed during the Year, on Sunday Nights, after 11 p.m. to 6 a.m. Monday.			Result of Cases before Magistrate.		Total Number of Offences Committed during the Year, on Wednesday Nights, after 1 o'Clock to 6 a.m. Thursday.			Result of Cases before Magistrate.		Total Number of Cases for all Offences under the Acts during the Year.			Result of Cases before Magistrate.		REMARKS.
	Public Houses.	Beer Houses.	Refreshment Houses.	Con- victed.	Dis- charged.	Public Houses.	Beer Houses.	Refreshment Houses.	Con- victed.	Dis- charged.	Public Houses.	Beer Houses.	Refreshment Houses.	Con- victed.	Dis- charged.	Public Houses.	Beer Houses.	Refreshment Houses.	Con- victed.	Dis- charged.	
A. or Whitehall -	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	One cautioned by order of Commissioner.
B. „ Westminster -	1	-	-	1	-	-	-	-	-	-	-	-	-	-	-	3	7	-	7	3	
C. „ St. James' -	1	-	1	1	-	-	2	1	-	3	-	-	-	4	1	15	4	12	21	10	
D. „ Marylebone -	-	-	-	-	-	-	-	-	1	-	1	-	-	-	-	2	7	1	7	3	
E. „ Holborn -	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	2	-	6	-	
F. „ Covent Garden -	2	-	1	3	-	2	-	-	2	-	1	1	-	1	-	10	1	1	11	1	
G. „ Finsbury -	1	6	-	4	3	-	6	-	-	-	2	3	-	5	-	9	20	-	22	7	
H. „ Whitechapel -	4	3	-	5	2	1	6	-	6	1	3	-	-	3	-	29	44	-	62	11	
K. „ Stepney -	6	14	-	17	3	7	24	-	25	4	3	5	-	8	-	65	190	-	207	43	
L. „ Lambeth -	-	-	-	-	-	-	-	-	-	-	1	-	-	1	-	7	19	-	20	6	
M. „ Southwark -	6	4	-	3	7	1	5	-	3	3	1	-	-	1	-	27	38	-	32	33	
N. „ Islington -	1	6	3	10	-	2	5	1	6	2	2	-	-	2	-	17	33	8	48	9	
P. „ Camberwell -	-	2	-	2	-	2	4	-	6	-	1	-	-	1	-	8	53	1	50	12	
R. „ Greenwich -	6	4	-	9	1	4	2	-	6	-	-	1	-	1	-	34	35	-	62	7	
S. „ Hampstead -	1	1	-	2	-	1	1	1	-	1	1	-	-	1	-	7	15	-	18	4	
T. „ Kensington -	-	-	-	-	-	1	1	-	1	1	1	-	-	1	-	7	41	-	37	11	
V. „ Wandsworth -	-	-	-	-	-	2	2	-	3	-	1	-	-	-	-	8	23	-	25	6	
W. „ Clapham -	1	1	-	-	1	-	1	-	3	-	1	1	-	1	-	9	33	-	34	8	
X. „ Paddington -	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	8	6	-	10	4	
Y. „ Highbury -	3	-	2	4	1	-	-	1	-	-	3	-	-	2	-	19	28	6	36	17	
TOTAL -	33	40	7	61	19	23	52	3	63	15	24	10	3	33	4	288	599	29	715	200	
										52) 78	52) 87	365) 915									
										Average number on each Sunday night during the hours stated		Average number on each Wednesday night during the hours stated		Average number on each day in the year							
										1-53		1-5		-71							

RETURN of the Number of CHARGES of DRUNKENNESS received at POLICE STATIONS on SUNDAYS during the Year 1867.

ON SALE OF LIQUORS ON SUNDAY BILL.

POLICE DIVISION.				Between the Hours of 4 a.m. and 1 p.m. on Sunday.			Between the Hours of 1 p.m. and 11 p.m. on Sunday.			Between the Hours of 11 p.m. on Sunday, and 4 a.m. on Monday.			REMARKS.
	Drunk, and Incapable of Taking Care of Themselves.	Drunk and Disorderly.	TOTAL.	Drunk, and Incapable of Taking Care of Themselves.	Drunk and Disorderly.	TOTAL.	Drunk, and Incapable of Taking Care of Themselves.	Drunk and Disorderly.	TOTAL.	Drunk, and Incapable of Taking Care of Themselves.	Drunk and Disorderly.	TOTAL.	
A. or Whitehall	-	1	1	1	1	2	5	11	16	The average number apprehended each Sunday during the year, from 4 a.m. Sunday to 4 a.m. Monday, was 32.96.			
B. " Westminster	1	5	6	20	21	41	12	19	31				
C. " St. James'	1	6	7	40	44	84	34	42	76				
D. " Marylebone	-	3	3	13	77	90	12	52	64				
E. " Holborn	6	6	12	16	7	23	10	14	24				
F. " Covent Garden	-	3	3	25	19	44	12	21	33				
G. " Finsbury	-	-	-	22	20	42	12	21	33				
H. " Whitechapel	2	3	5	13	39	52	9	24	33				
K. " Stepney	2	18	20	28	55	83	15	34	49				
L. " Lambeth	1	1	2	15	37	52	12	46	58				
M. " Southwark	2	4	6	22	33	55	6	11	17				
N. " Islington	2	5	7	14	26	40	17	19	36				
P. " Camberwell	-	3	3	7	19	26	7	22	29				
R. " Greenwich	3	8	11	16	28	44	9	16	25				
S. " Hampstead	-	5	5	12	16	28	17	11	28				
T. " Kensington	-	8	8	13	39	52	13	14	27				
V. " Wandsworth	2	5	7	9	26	35	4	10	14				
W. " Clapham	-	1	1	4	5	9	6	14	20				
X. " Paddington	3	1	4	7	25	32	21	20	41				
Y. " Highgate	-	3	3	12	50	62	19	30	49				
Thames	-	-	-	-	-	-	-	1	1				
TOTAL	25	89	114	309	587	896	252	452	704				

Metropolitan Police Office,
1 May 1868.

Thomas Kittle,
Superintendent.

Richard Mayne.

Appendix, No. 6.

App. No. 6.

PAPER handed in by Mr. Jowett, 13 May 1868.

DETAIL OF SUNDAY EVENING VISITATION.

New Leeds :

Fifteen Houses:—254 men ; 18 women ; total, 272 ; including 17 young men who a short time previously were Sunday scholars.

Again, accompanied by A.:—

Bradford (Manchester Road District) :

Sixteen Houses:—269 men ; 21 women ; total, 290. Seven young men said in conversation, " They would bet their names were not crossed out of the Sunday-school book."

Nine young men, in another house, said they had been Sunday scholars up to within a year of that time.

COMPARISON between Sunday and Week Day.

Sunday evening, in December, in Westgate District, were found, in 29 houses, 600 persons. On Wednesday evening, in April, same 29 houses, 327 persons.

Sunday evening, New Leeds, October : Persons, 272, in 15 houses. Wednesday evening, in April, same 15 houses, 93 persons.

Sunday evening, in November, George-street, 29 houses, 521 persons. Thursday evening, in April, same 29 houses, 198 persons.

Appendix, No. 7.

PAPERS handed in by the Rev. S. A. Steinthal, 13 May 1868.

RETURN showing the Number of Persons in Favour, Against, and Neutral, as regards the stopping of the Sale of Intoxicating Drinks on Sundays—in the following Places:—

HOUSEHOLD CANVASS.

	Yes.	No.	Neutral.		Yes.	No.	Neutral.
HOUSEHOLDERS:				HOUSEHOLDERS—continued.			
King - - - - -	2,694	357	220	NORTH WALES—continued.			
Chester - - - - -	329	236	198	Dublin, New Brighton, and Pentre	94	5	11
El Town, near Sheffield - - -	1,400	176	85	Moch			
on, Lincolnshire - - - - -	203	10	7	Bersham, Denbigh - - - - -	779	5	22
Cham and Bowdon - - - - -	1,093	37	17	Chirk - - - - -	244	1	-
owford, Burnley - - - - -	403	7	13	Leeswood, Flintshire - - - -	442	5	1
ley Hill, Quarry Bank - - - -	962	17	11	Llandudno - - - - -	519	17	22
em, Staffordshire - - - - -	2,332	96	48	Llansantffraid, near Conway -	76	1	1
on, Derbyshire - - - - -	248	7	4	Holt, Denbigh - - - - -	137	3	9
Lancashire - - - - -	2,953	554	229	Esclusham, Denbigh - - - -	95	-	-
elly, near Leeds - - - - -	333	7	1	Gresford - - - - -	170	6	5
le, Lincolnshire - - - - -	239	2	8	Llanerchymedd, Anglesea - -	224	-	2
shaw Booth, Lancashire - - -	705	15	16	Llanrwst, Denbigh - - - - -	423	2	1
ey, Staffordshire - - - - -	1,460	38	13	Minera - - - - -	308	3	3
ey - - - - -	3,984	457	453	Llanfwrog, Llanfair, and Clocaenog,	44	-	-
ham, Lancashire - - - - -	514	15	19	Ruthin - - - - -			
Hersfield, Yorkshire - - - -	1,753	354	128	Rhostyllen, Denbigh - - - -	95	1	4
a Hulton, Lancashire - - - -	5,390	707	423	Hawarden, Flintshire - - - -	109	3	4
ley, Derbyshire - - - - -	968	31	45	Rhosllanerchrugog, Denbigh -	507	5	4
on-Trent - - - - -	900	57	54	Welshpool - - - - -	423	8	14
sbottom, Lancashire - - - - -	1,915	185	277	Llanfair Caereinion - - - - -	175	2	2
worth, near Bolton - - - - -	552	69	73	Rossett and Burton - - - - -	92	2	6
astle-under-Lyne - - - - -	1,358	120	76	Tryddyn, Flintshire - - - - -	228	1	-
lebury, Lancashire - - - - -	1,868	109	31	Blanaau Festiniog - - - - -	1,003	3	6
rd - - - - -	540	73	81	Llanfairpullgwyngyll - - - -	171	1	4
wood - - - - -	9,210	1,188	709	Llangollen - - - - -	412	10	8
uay - - - - -	1,665	431	117	Several places in Anglesea - -	355	1	-
ley - - - - -	950	45	62	Holyhead - - - - -	1,392	13	20
e, Wiltshire - - - - -	1,344	100	83	Marchiel and Sontley, Denbigh -	71	-	2
oldswick, Yorkshire - - - -	279	-	13	Bangor - - - - -	1,533	21	36
stall, Staffordshire - - - - -	391	6	10	Aberdovey - - - - -	204	2	4
hley, Yorkshire - - - - -	1,688	73	85	Llanfechell (part) - - - - -	60	-	-
ton - - - - -	1,846	146	102	Harlech, Gwynfryn, and Llanbedr	211	1	2
th, Cumberland - - - - -	1,028	82	101	Cefn district - - - - -	709	3	2
on, Staffordshire - - - - -	247	10	6	Llanberis - - - - -	458	1	1
den - - - - -	147	5	-	Barmouth - - - - -	213	1	7
ke-by-the-Sea, Redcar - - - -	235	21	15	Penrhyn Deudraeth - - - - -	316	1	3
es, Patricroft - - - - -	763	24	64	Waenfaur - - - - -	284	-	-
ley - - - - -	1,537	147	106	Ruabon - - - - -	199	2	2
y Cross, near Chesterfield - -	1,535	200	156	Montgomery - - - - -	135	13	7
rington - - - - -	648	96	97	Festiniog - - - - -	257	-	1
erley - - - - -	6,762	456	29	Nantmor - - - - -	74	-	-
ster - - - - -	1,447	12	26	Pwllheli - - - - -	514	1	5
lington - - - - -	2,234	569	354	Pentir - - - - -	225	-	1
r Swindon - - - - -	2,682	171	113	Llanidloes - - - - -	596	10	29
ley Bridge and Black Hill, Durham	1,061	198	136	Llangefni - - - - -	289	1	3
ne, Staffordshire - - - - -	823	22	21	Port Madoc - - - - -	411	-	2
ton-under-Lyne, and Hurst - -	586	91	50	Ruthin - - - - -	518	25	9
aster - - - - -	2,679	753	357	Llanllyfni - - - - -	579	1	2
oclough and Clow Bridge - - -	950	113	-	Bala - - - - -	1,006	2	8
enshulme - - - - -	214	5	17	Towyn - - - - -	188	3	6
row-in-Furness - - - - -	213	18	10	Mold, Flintshire - - - - -	678	5	5
osop, Hollingworth, Charlesworth,	1,272	81	164	Llangoed - - - - -	172	-	-
nd Chisworth. - - - - -	1,394	51	114	Conway - - - - -	342	3	7
le - - - - -	1,523	221	166	Llandrillo Corwen - - - - -	160	1	1
nam - - - - -	1,497	666	159	Carnarvon - - - - -	1,428	10	12
rington - - - - -	2,824	317	416	Corwen - - - - -	183	2	6
TOTAL - - - - -	36,740	10,057	6,388	Ufton Heath - - - - -	235	2	4
NORTH WALES:				Bagillt - - - - -	440	10	6
riw, near Llanrust - - - - -	188	-	1	Bethesda - - - - -	1,333	12	2
umaris, Anglesea - - - - -	294	8	1	Rhyl - - - - -	454	6	2
gor, Flintshire - - - - -	68	1	6	Machynlleth - - - - -	361	1	3
kley - - - - -	709	12	8	Newtown - - - - -	845	15	27
				TOTAL - - - - -	25,687	273	381

HOUSEHOLD CANVASS—continued.

			Yes.	No.	Neutral.				Yes.	No.	Neutral.
HOUSEHOLDERS—continued.						WORKSHOPS—continued.					
SOUTH WALES.											
Cardiff	-	-	5,366	266	281	Rawcliffe and Bibby, Preston	-	-	59	10	-
Talgarth	-	-	96	-	-	Joseph Crook	-	-	10	-	-
Merthyr Tydvil and Dowlais	-	-	2,149	204	14	James Clarke & Co., Newton Heath	-	-	22	-	-
Aberystwith	-	-	1,700	-	-	Swift and Bedell	-	-	86	-	-
Morrison (Swansea)	-	-	887	23	15	Joseph Barlow & Co.	-	-	18	-	-
Pembroke	-	-	1,027	42	33	S. and W. Yarwood	-	-	20	1	-
Carmarthen	-	-	1,556	50	36	Joseph Barratt	-	-	33	-	-
Brecon	-	-	831	44	49	H. Bailey, Son, & Co.	-	-	34	7	-
Aberdare	-	-	2,775	188	93	Newton, Chambers, & Co., Sheffield	-	-	270	25	-
Amlwch, Anglesea	-	-	570	3	6	Burslem—various	-	-	212	6	-
Penryn	-	-	5,119	1	12	The Ashbury Railway Carriage and Iron Co. (Limited)	-	-	140	12	-
TOTAL	-	-	22,076	821	639	James Rees, Carnarvon	-	-	15	4	-
						New Paper Mill Co., Bersham (Wales)	-	-	35	-	-
The undermentioned Districts have adopted their own Schedule.						C. Jupe and Sons, Wiltshire	-	-	161	-	-
Bolton	-	-	6,377	1,817	1,557	" near Warminster	-	-	147	-	-
Leicester	-	-	7,908	2,407	-	Rylands and Sons, Manchester	-	-	237	7	-
Grimby	-	-	1,947	44	197	The Principal, Vice-Principal, Teachers, Students, Normal College.	-	-	35	1	-
Rochdale	-	-	1,544	624	500	Charles Whittaker, Rochdale	-	-	54	22	-
Derby	-	-	13,296	1,108	1,220	John Cameron, Hulme	-	-	48	-	-
Stockport	-	-	5,020	550	560	John Brown & Co., Sheffield	-	-	222	94	11
Brymbo and Broughton, North Wales	-	-	1,022	26	2	Bancroft and Fleming, Manchester	-	-	10	-	-
Falmouth	-	-	651	-	-	George Penny, Preston	-	-	189	-	-
Preston	-	-	8,142	394	2,075	Staveley Works	-	-	917	57	31
Liverpool	-	-	41,149	3,330	6,339	Newton, Chambers, & Co.	-	-	873	96	54
TOTAL	-	-	87,056	10,300	12,450	George Eastwood, C. Booth	-	-	91	-	2
						TOTAL	-	-	10,627	1,190	514
WORKSHOPS.						HOUSEHOLD CANVASS (Not completed.)					
J. B. Williamson & Co., Preston	-	-	274	33	6	Manchester	-	-	28,259	4,091	2,212
Powell and Bishop, Hanley	-	-	1,020	43	46	Bristol	-	-	8,947	1,820	3,139
J. Dixon & Co., Heatley-st. Mills, Preston.	-	-	131	34	2	Halifax	-	-	528	87	35
R. C. Outram & Co.	-	-	329	48	12	Sheffield	-	-	-	-	-
Executors of the late George Wilding, Preston.	-	-	211	1	11	Birmingham	-	-	16,313	4,694	1,296
Hague and Penny, Moor Hall Mill, Preston.	-	-	243	27	1	Cirencester	-	-	945	56	141
E. Dixon & Co., Manchester	-	-	86	1	7	Gravesend	-	-	-	-	-
Globe Spinning Co., Macclesfield	-	-	73	-	-	Kilburne, near Derby	-	-	164	6	11
Manchester Carriage Co., Longsight	-	-	76	-	-	Belper	-	-	1,245	92	53
Hall and M'Kerrow, manufacturers, Manchester.	-	-	175	1	1	Brighton	-	-	89	40	26
E. Whitworth and Brothers, merchants, Manchester.	-	-	163	7	3	Banbury	-	-	422	30	65
Parr, Curtis, & Co., machinists, Manchester.	-	-	341	73	18	Blackburn	-	-	-	-	-
Manchester and County Bank	-	-	17	-	-	Clitheroe and Low Moor	-	-	813	20	51
Penrose, Bailey, and Johns, warehousemen, Manchester.	-	-	14	-	-	Chesterfield	-	-	917	57	37
Richards, Parker, & Co., cotton-spinners, Kirkham.	-	-	154	2	2	Cardigan	-	-	-	-	-
Catterall and Harrison, cotton-spinners, Kirkham.	-	-	62	-	-	Carlisle	-	-	133	10	-
Kirkham, various	-	-	66	-	-	Dukinfield	-	-	-	-	-
Walker and Barrett, Kirkham	-	-	235	-	2	Mickleton, Gloucester	-	-	34	-	1
Cleveland Iron Works, Middlesborough	-	-	277	63	19	Gateshead	-	-	-	-	-
Bolckow, Vaughan, & Co., coal and iron works, Middlesborough.	-	-	278	67	18	Hollinwood	-	-	-	-	-
J. Blackburn and Sons, spinners, Colne	-	-	162	79	31	Kirkburton	-	-	-	-	-
Sheepbridge Coal and Iron Co.	-	-	281	87	29	London	-	-	-	-	-
J. King and Sons, spinners, Rochdale	-	-	162	79	31	Lewes	-	-	404	161	222
E. Lees & Co., spinners, Oldham	-	-	251	70	15	Macclesfield	-	-	-	-	-
E. Holden & Co., manufacturers, Bolton	-	-	87	4	3	Newcastle-on-Tyne	-	-	-	-	-
R. Shaw, manufacturer, Colne	-	-	279	45	46	Prestwich	-	-	-	-	-
Tottington Print Works, calico printers	-	-	104	16	13	Rawtenstall	-	-	-	-	-
Bolckow, Vaughan, & Co., Witton Park, iron and coal works.	-	-	692	60	39	Radcliffe	-	-	-	-	-
W. Hoyle and Brothers, manufacturers, Tottington.	-	-	234	-	1	Salisbury	-	-	431	106	53
H. Crabtree, Manchester	-	-	146	3	-	Swansea	-	-	1,761	81	96
Smith, Bowdler, & Co., Kirkham	-	-	66	-	-	Stacksteads, near Bacup	-	-	723	21	34
						Southsea	-	-	1,656	466	282
						Ulverston	-	-	-	-	-
						Wrexham	-	-	903	67	177
						Bettws-y-Coed	-	-	130	1	9
						TOTAL not completed	-	-	64,687	11,905	7,951
						TOTAL Householders completed	-	-	86,740	10,057	6,388
						TOTAL North Wales	-	-	25,687	273	381
						TOTAL South Wales	-	-	22,076	821	639
						GRAND TOTAL	-	-	199,190	23,056	15,359

EMPLOYERS OF LABOUR.

MEMORIAL FOR SUNDAY CLOSING.

WE, the undersigned Employers of Labour, and Managers of Works and Manufactories, desire to express our conviction that the Sunday Sale of Intoxicating Liquors is productive of great injury to our workpeople, as well as to others, and very much tends to their drunkenness and demoralization.

In addition to this, we find that the influence of the public-houses and beershops on Sunday unfits working men for their duties on Monday, and seriously interferes with the arrangements of the workshop, causing great inconvenience and loss to employers and employed.

NAME.	LOCALITY.	Number of Hands Employed.	NAME.	LOCALITY.	Number of Hands Employed.
Woods & Sons	- - -	5,110	Thomas Fish & Son	Over Darwen	250
ditto	Wigan	1,110	Graham, Fish, & Son	ditto	340
Pease & Partners	Darlington	3,500	The Greenfield Mill Co.	ditto	130
J. W. Pease	Durham and North Yorkshire.	2,000	T. J. Eccles	ditto	390
Richard Dixon & Sons	Carlisle	2,550	John Walmsley	ditto	220
Shildon Engine Co.	ditto	2,000	J. L. & J. Gregson	ditto	400
Pease, Stewart & Co.	Manchester	1,138	Potter & Co.	Lower Darwen	240
Hard Haworth & Co.	ditto, and Salford	1,641	John Cameron	Hulme	150
James Emmott	Oldham	800	Robert Shaw	Colne	700
Whitehead & Sons	Rawtenstall	550	Wm. T. Bell	Darlington	440
James Hoyle & Bro.	Tottingham, Bury	400	J. H. Bowman & Co.	ditto	150
Ed Crossley	Farnworth	120	Henry Pease & Co.	ditto	400
Henry Atherton	Lees	160	Pease, Hutchinson & Co.	ditto	580
Cheetham & Sons	Shaw	196	Richardson	ditto	345
H. Arrowsmith	Astley	250	Darlington section of the North Eastern Railway.	- - -	1,700
Robert Fitton	Royton near Oldham	120	Hyde & Clarke	Abingdon	1,500
N. England	Colne	480	Darlington Iron Co.	ditto	220
Wards, Parker & Co.	Kirkham	250	W. H. B. Sowerbutts	Freckleton	160
General & Harrison	ditto	100	Pilkington & Berry	Leyland	200
Wright & Riley	Oldham	250	Richard Wilding	Preston	250
Richard Dixon	Newton Heath	600	Wm. Sowerbutts	ditto	150
James Dickenson & Sons	Blackburn	800	Mark Smith	Heywood	300
Haworth & Bros.	Bacup	260	James Heaton	ditto	100
Haworth & Bros.	Rockcliffe Mill	190	Wm. Hartley & Sons	ditto	400
Morris & Co.	Salford and Manchester	1,000	John Crossley	ditto	200
James Darlington	Wrexham	650	Saml. Smith & Son	ditto	300
James Blair & Co.	Kearsley	130	James Davenport	Rochdale	800
James Bros.	Newtown	300	John Statham	ditto	900
Holden & Co.	Bolton	300	Geo Ashworth & Sons, and Ashworth Brothers	ditto	900 to 1,000
Price & Low	Wrexham	600	Kelsall & Kemp	ditto	800
James Shepherd	Minera, Wrexham	200	John Petrie & Co.	ditto	300
H. Darby	Denbighshire	450	Booth & Hoyle	ditto	300
James Darby	Brymbo	350	George Eastwood	Crawshawbooth	300
F. Lailor	Darlington	200	John Fenton	ditto	125
Samuel Cutlow	Colne	450	Kenrick & Son	Ruabon, N.W.	100
James Kenworthy	Ashton-under-Lyne	400	H. Evans, Ruabon	Firebrick Company	100
James Dickson	Darlington	200	Ashworth Barlow	ditto	200
James Gibson	Smithfield Colliery	130	James Ingham	ditto	160
James Garnett & Sons	Clitheroe	730	Lord & Fenton	ditto	140
Bennett & Bros.	Little Hulton	800	Britannia Mill Co.	ditto	230
James Ashworth	Radcliffe	109	George Haworth	ditto	420
James Hollingworth	ditto	180	John Bailey & Co.	Love Clough	370
James C. Milns & Co.	ditto	800	Tunstall Brothers	Burnley	600
James Heywood	ditto	100	John M'Kean & Co.	Preston	300
James Ferguson, Junr. & Co.	ditto	100	Josh. Holt & Sons	Newton Heath	300
James Allen, & Sons	ditto	400	B. Whitworth & Bros.	Manchester	196
Clifton and Rusley Coal Co.	- - -	1,100	Thos. Openshaw	Bury and Manchester	120
James Briggs	Salford	112	Perry, Brooks, & Perry	Lye, Stourbridge	600
James Halliwell	Over Darwen	350	Simpson, Thompson & Co.	Crumpsall	950
James Snape & Co.	ditto	120	Jones, Bros. & Co.	Bedford Leigh	450
James Berry	ditto	110	Joseph Donnell	Stalybridge	110
R. Shorrocks	ditto	140	B. Whitworth & Bros.	Drogheda	450
James Gillibrand	Darwen	400	Gradwell, Chadwick & Co.	ditto	1,000

EMPLOYERS OF LABOUR.—MEMORIAL FOR SUNDAY CLOSING—*continued.*

NAME.	LOCALITY.	Number of Hands Employed.	NAME.	LOCALITY.	Number of Hands Employed.
Thos. Jolly, Son & Co. - -	Accrington - - -	220	Thomas Pearson & Son - -	Bolton - - -	30
Thomas Barnes & Co. - -	Farnworth - - -	1,140	T. & J. Atkin - - -	Bacup - - -	1
Langworthy Brothers - -	- - -	1,000	Bury & Riley - - -	- ditto - - -	20
Radcliffe & Mills - -	Heywood - - -	130	Howarth & Entwistle - -	Melbourne Mill - -	300
Wm. Forrest - - -	Blackburn - - -	500	John Birtwistle - - -	- ditto - - -	20
James Marshall & Sons - -	Stockport - - -	2,000	Swain, Rhodes - - -	Hyndburn Mill - -	120
F. Leach & Co. - - -	Enfield - - -	700	James Barlow - - -	Holme Mill - - -	250
Taylor & Clegg - - -	Oakenshaw - - -	120	Hindle & Haworth - - -	Royal Mill - - -	150
G. & N. Hodgkinson - -	Heywood - - -	100	Bury Bros. - - -	Victoria and Fountain Mill.	420
John Broadbent - - -	Salford - - -	130	John Anderton - - -	Perseverance Mill -	310
John Hawkins & Sons - -	Preston - - -	800	Armitage & Rigby - - -	Manchester and War- rington.	1,600
John Kay & Sons - - -	Burnley - - -	520	Thos. Oliver - - -	} Bollington - - -	520
Thomas Wootton & Sons - -	Oldham - - -	120	W. C. L. Oliver - - -		
Hoyle & Crapper - - -	Bacup - - -	350	Ashworth Brothers - - -	Rawtenstall - - -	500
H. W. H. Graham - - -	Blackburn - - -	120	Matthew Miller - - -	Manchester - - -	230
Wm. Thompson - - -	Burnley - - -	180	Cowans, Sheldon, & Co. - -	Carlisle - - -	220
The Darlington Iron Co. -	Darlington - - -	1,200	Chappell & Marsden - - -	Openshaw - - -	300
W. R. Callender & Sons - -	Manchester - - -	700	Nasmyth, Wilson, & Co. - -	Patricroft - - -	200
Callender & Son - - -	Bolton - - -	1,100	Fielden & Jackson - - -	Walsden - - -	800
Sheepbridge Coal and Iron Co.	Chesterfield - - -	1,200	J. Hetherington - - -	Manchester - - -	850
J. H. Clarke & Co. - -	Manchester - - -	500	Davison & Co. - - -	Buckley - - -	200
Barlow & Jones - - -	Bolton - - -	1,100	Fairweather & Williams - -	Pollard-street - -	230
James King & Son - - -	Rochdale - - -	700	S. Bowler & Sons - - -	- ditto - - -	200
T. B. Williams - - -	- ditto - - -	600	Clarke Brothers - - -	- ditto - - -	200
Globe Spinning Co. - -	Macclesfield - - -	320	Turnbull & Gibbs - - -	Mill-street - - -	250
Wm. Todd & Co. - - -	Heywood - - -	300	D. Robinson - - -	- ditto - - -	130
John Walsh - - -	Drogheda - - -	400	Robt. & Rd. Woodward - -	- ditto - - -	180
Baron & Tattersall - -	Heywood - - -	164	Peel, Williams, & Peel - -	Manchester - - -	100
W. & J. Galloway - - -	Manchester - - -	500	Great Ancoat Flax and Hemp Co. (Limited).	- - -	250
Chas. A. & J. Heaton - -	Bolton - - -	190	Robt. Cotton - - -	Manchester - - -	100
P. H. Whitehead & Co. - -	Rawtenstall - - -	500	W. Armitage, Junr. - - -	- ditto - - -	700
Henry Pearson - - -	Stockport - - -	400	Wyme Hall Coal Co. - - -	Ruabon - - -	400
Joseph Smith - - -	Preston - - -	120	C. Davison & Co. - - -	Buckley near Wales -	100
Henry Ward & Sons - - -	Blackburn - - -	1,200	Daniel Dronsfield - - -	Werneth, Oldham -	350
Wm. Allen - - -	Preston - - -	100	Smith, Bowdler & Co. - -	Kirkham - - -	100
R. & W. Jackson - - -	Lancaster - - -	203	Charles Janson & Co. - -	Darlington - - -	100
Jackson Bros. - - -	Calder Vale - - -	220	Fry, Janson & Co. - - -	- ditto - - -	100
Solomon Longworth - -	Whalley - - -	300	Evan Thomas - - -	North Wales - - -	280
Ashworth & Slater - - -	Haslingden - - -	100	The Diphwys Cass Co. - -	- ditto - - -	260
Henry Crabtree - - -	Ardwick - - -	350	Griffith Pritchard - - -	- ditto - - -	184
Robert Booth - - -	Radcliffe - - -	100	R. P. Williams - - -	- ditto - - -	427
Benjamin Walmsley - -	Accrington - - -	360	Cromorthies Slate Co. - -	- ditto - - -	260
New British Iron Works -	Ruabon - - -	1,600	Mr. Holland - - -	- ditto - - -	500
J. Butterworth - - -	Whitworth - - -	260	Mr. Percival - - -	- ditto - - -	320
J. Blackburn & Sons - -	Colne - - -	225	S. Howarth & Bro. - - -	Stackstead - - -	190
Sparrow and Poole - - -	Wrexham - - -	420	E. Rostron - - -	Waterfoot - - -	130
The Hollins Mill Co. - -	Marple - - -	600	Edwin Heywood - - -	Mold - - -	300
Rattray & Simpson - - -	Preston - - -	400	Robert Roberts - - -	- ditto - - -	170
John Lord - - -	- ditto - - -	386	Jacob Forest - - -	- ditto - - -	350
Rock, Littler & Co. - -	Hollingwood - - -	110	152 workshops employing less than 100 hands.	- - -	5,176
Haslingden Commercial Co.	- ditto - - -	200			
C. & J. Sutcliffe - - -	Burnley - - -	400			
Hague & Penny - - -	Preston - - -	387			
Edwd. Mucklow - - -	Bury - - -	200			
Thos. Ramsbottom & Sons	- ditto - - -	400			
				TOTAL - - -	101,682

CHIEF CONSTABLES' REPORTS, 1866 and 1867.

	Six Days of the Week.	Sunday.	TOTAL.		Six Days of the Week.	Sunday.	TOTAL.
1867—continued.							
3:	470	242	712	Leicester - - - -	222	62	284
ad - - - -	587	163	750	Liverpool - - - -	11,363	2,221	13,584
- - - -	613	157	770	Manchester - - - -	8,994	2,501	11,495
-upon-Hull - -	603	136	739	Newcastle-on-Tyne - -	946	272	1,218
- - - -	9,609	2,712	11,321	Oldham - - - -	399	162	561
- - - -	999	317	1,316	Plymouth - - - -	317	64	381
on - - - -	490	237	727	Preston - - - -	1,795	670	2,465
				Salford - - - -	505	142	647
ad - - - -	506	111	617	Stockport - - - -	393	257	650
am - - - -	1,525	174	1,699	Clitheroe - - - -	3	33	36
n - - - -	512	328	840	Derby - - - -	287	102	389
- - - -	539	254	793	Southampton - - - -	268	46	314
- - - -	184	37	221	Leeds - - - -	1,026	307	1,333
- - - -	745	176	921	Rochdale - - - -	451	178	629
- - - -	111	19	130	Yarmouth - - - -	109	22	131
-upon-Hull - -	460	112	572	TOTAL - -	44,031	12,214	56,245

Witness put in the letters of the various Chief Constables, enclosing the above returns, but they are omitted on account of their bulk.

Appendix, No. 8.

LETTER handed in by the *Chairman*.

App. No. 8.

Heath House, Stapleton, Bristol,
20 May 1868.

Sir,

I HAVE been invited by the promoters of the Bill for Restricting the Sale of Intoxicating Drinks, to give my testimony in favour of the measure before the Committee of which you are Chairman. But although I am very desirous to be of service in so good a cause, I am unfortunately in a state of health which, in the opinion of my physician, utterly precludes me from undertaking a journey to London. I have, however, received an intimation that an indulgence which has more than once been accorded to me by committees and commissions, may perhaps be granted on the present occasion, namely, that of stating my views by letter.

It was not until after many years of observation and thought on the subject, that my mind was brought to the belief that any good could be effected by the interposition of the law, to which I have ever felt great reluctance to resort, without the pressure of overwhelming necessity. But having spent much time, for more than 40 years of my life, in criminal courts, partly as counsel and partly as a judicial officer, sad experience has forced upon me the conviction that drinking habits are by far the most fertile cause of crime; and that when the best law that can be framed has done its utmost, much will remain to be effected by moral influences. Yet I have arrived at a very decided opinion that the arm of the law will be found much more efficient than I had in my earlier years believed possible. I am under the deep impression that restriction has done good service, and that it has not yet been carried to the limit at which its action ceases to be beneficial to the community.

I have sedulously watched the progress of public opinion on this momentous subject, both abroad and at home, and I am persuaded that an amount of restriction which would have incited some years ago an opposition so strong as to paralyse the operation of any statute in which it was incorporated, would now be received as a boon by the majority of the nation.

The Bill referred to your Committee applies, it is true, to Sunday drinking only; but it is a great step to protect one day in the week from the fearful temptations which now pervade the whole year. And the one day chosen, it will scarcely be denied, is that best entitled to the choice. On that day the duties of each member of a family to the others are most disastrously impeded by habits of drinking. The example of the father is more immediately brought under the notice of his children than in any other part of the week. And it is frequently on that day that fatal indulgences are fostered among the young.

As my only hope of pardon for thus intruding on your time and attention must lie in brevity, I restrain my desire to dwell on a topic the importance of which cannot, in my belief, be over-estimated.

I have, &c.
(signed) *M. D. Hill.*

Sir James Fergusson, Bart., M.P.
&c. &c.

WOLVERHAMPTON.—RETURN OF DRUNKENNESS ON SUNDAYS.

P O P U L A T I O N .																							
58,000.		59,000.		60,000.		61,000.		62,000.		63,000.		64,000.		65,000.		66,000.		67,000.		68,000.			
12 Months ending 3 May 1858.	Total.	12 Months ending 3 May 1859.	Total.	12 Months ending 3 May 1860.	Total.	12 Months ending 3 May 1861.	Total.	12 Months ending 3 May 1862.	Total.	12 Months ending 3 May 1863.	Total.	12 Months ending 3 May 1864.	Total.	12 Months ending 3 May 1865.	Total.	12 Months ending 3 May 1866.	Total.	12 Months ending 3 May 1867.	Total.	12 Months ending 3 May 1868.	Total.		
From Saturday at 12 Midnight, to Sunday at 12 Midnight :																							
Prisoners - - -	192	198	198	210	186	199	157	160	171	179	183	198	151	160	118	123	149	169	122	144	90	103	
Persons Summoned - -	6	12	13	-	13	1	3	8	-	-	15	-	9	-	5	-	20	-	22	-	13	-	
From Sunday at 4 a.m. to Monday at 4 a.m. :																							
Prisoners - - -	104	107	97	105	92	98	86	88	97	101	94	104	82	88	70	73	80	85	66	79	48	55	
Persons Summoned - -	3	-	8	-	6	-	2	-	4	-	10	-	6	-	3	-	5	-	13	-	7	-	
TOTAL - - -	305	305	315	315	297	297	248	248	280	280	302	302	248	248	196	196	254	254	223	223	158	158	
		Increase.		Decrease.		Decrease.		Increase.		Increase.		Decrease.		Decrease.		Increase.		Decrease.		Decrease.			
		10		18		49		32		22		54		52		58		31		65			

Henry Segrave, C. C.

Appendix, No. 10.

PAPERS handed in by Mr. Alderman *Fisher*, 18 June 1868.

App. No. 10.

BOROUGH OF SHEFFIELD.

At a Meeting of the Town Council of the Borough of Sheffield, held
13th October 1852—

It was Resolved,

THAT a committee, consisting of Alderman Thomas Birks, and Councillors William Lawton, Isaac Ironside, Christopher Thompson, Charles Alcock, Thomas Turner, Nicholas Robert Holman, and George Leman Saunders, be, and is hereby, appointed to inquire into the cause of the apparent excess of drunkenness in this borough; also to consider the best means for ensuring its decrease.

At a meeting of the Town Council of the Borough of Sheffield, held 12th January 1853, the committee appointed relative to the apparent excess of drunkenness in the borough of Sheffield, and to consider the best means of ensuring its decrease, presented a report, which was adopted, and from which the following is an extract:—

“Your committee have also paid great attention to the effects arising from keeping public-houses open on the Sunday; their attention being particularly drawn to this point from the fact of the greatest number of drunken persons being brought before the magistrates on the Monday. Mr. Raynor stated it as his opinion, ‘That it would be a great improvement if the public-houses and beerhouses were closed during the whole of Sunday, except for about an hour in the middle of the day.’ It certainly does appear a strange anomaly that places should be open for the sale of intoxicating drinks on the Sunday while shops for the sale of the various useful and necessary articles of life are required to be strictly closed. It is quite necessary that travellers should be able to find refreshment and rest, but it can be neither necessary or wise that public-houses and beerhouses should be open during the Sunday to the extent they are at present, and though your committee are not prepared to recommend that they should be closed during the whole of Sundays, they are of opinion that the sale of intoxicating drinks should not be permitted therein except to travellers; and they feel satisfied, from what they have heard, that most of the respectable publicans would be glad to concur in such a regulation.”

At the request and by the direction of the Select Committee of the House of Commons “On the Sale of Liquors on Sunday Bill,” I hereby certify that the above are correct extracts from the minutes of the proceedings of the Town Council of the Borough of Sheffield.

John Germans, Town Clerk.

13 June 1868.

EXTRACTS from the Minutes of the Watch Committee of the Borough of *Sheffield*,
at their Meeting, held on Thursday, the 22nd of February 1855.

App. No. 10.

RETURN of the Number of Persons apprehended by the Police within the Borough of *Sheffield* for Drunkenness on each Sunday during the Six Months immediately prior to the operation of the late Act, "For further regulating the Sale of Beer and other Liquors on the Lord's-day;" and also during the Six Months immediately subsequent to the operation of that Act, distinguishing between Males and Females.

For the Six Months prior to the Operation of the Act.			For the Six Months subsequent to the Operation of the Act.		
	Male.	Female.		Male.	Female.
1854;			1854;		
12 February - -	6	1	13 August - -	4	4
19 " - -	1	1	20 " - -	5	—
26 " - -	2	1	27 " - -	—	—
5 March - -	2	1	3 September - -	1	2
12 " - -	4	1	10 " - -	1	—
19 " - -	7	—	17 " - -	—	—
26 " - -	6	—	24 " - -	—	—
2 April - -	2	2	1 October - -	1	—
9 " - -	3	—	8 " - -	2	1
16 " - -	1	1	15 " - -	—	—
23 " - -	4	1	22 " - -	—	—
30 " - -	4	—	29 " - -	5	—
7 May - -	6	1	5 November - -	—	—
14 " - -	4	—	12 " - -	—	—
21 " - -	4	—	19 " - -	1	—
28 " - -	5	—	26 " - -	—	—
4 June - -	4	—	3 December - -	—	—
11 " - -	—	—	10 " - -	—	—
18 " - -	4	3	17 " - -	—	—
25 " - -	3	—	24 " - -	—	—
2 July - -	3	—	31 " - -	—	—
9 " - -	3	1	1855;		
16 " - -	4	—	7 January - -	1	—
23 " - -	1	—	14 " - -	—	—
30 " - -	5	—	21 " - -	3	—
6 August - -	2	2	28 " - -	1	—
TOTAL - -	90	16	4 February - -	—	—
			11 " - -	—	—
			TOTAL - -	25	7

These extracts were received from the office of the town clerk, *Sheffield*, by me,
Thomas Sale, Vicar of *Sheffield*.

At the request and by the direction of the Select Committee of the House of Commons on the
"Sale of Liquors on Sunday Bill," I hereby certify that the above is a correct copy of the Return
entered in the Minutes of the Watch Committee of the borough of *Sheffield*.

13 June 1868.

John Germans,
Town Clerk.

Appendix, No. 11.

App. No. 11.

LETTER from the Rev. *D. Burns* to Sir *J. Fergusson*, Bart., M.P.

Sir,

112, Strand, W.C., 15 June 1868.

As the Select Committee on the Sunday Sale of Liquors Bill decided to-day not to take evidence at present to rebut the statements made by Mr. Morrell on the 8th instant, in reference to a canvass of St. Pancras five years ago, I beg to place before you, as chairman, the chief points of Mr. Morrell's evidence, with the answers that I am ready to supply.

Question 6252-3. Mr. Morrell states that a canvass of St. Pancras took place seven or eight years ago; that he was challenged to examine the books at the Alliance Office in the Strand, when he found that two persons in his street had been entered as in favour, and "I think not one opposed."

Question 6344. "That the returns were given of men who were in favour of restriction, but the whole of the other residents, who were in favour of the present system, were treated as neutrals, whereas, in reality, they were every one opposed to further restriction."

Questions 6258 and 6347. "That these statistics were got up by the Alliance party, and were not trustworthy."

1. In reply to these charges and imputations, I assert that the canvass referred to, which occurred in 1863, five (not seven) years ago, was neither "got up" by the Alliance, nor was it in any respect under the control of the Alliance, but was originated by the London Working Men's Sunday Closing League, in connection with the Hull Association for Closing Public-houses on Sunday, and that all the funds expended in its prosecution (about 130*l.*) were provided by friends of the Sunday Closing Movement.

2. That the parish of St. Pancras was selected for canvass, in order to test the statements advanced, that the people of London were hostile to Mr. Soames's Bill, then down for a second reading, the object of this Bill being to prohibit all sale of intoxicating liquors from 11 on Saturday night to six on Monday morning. The parish of St. Pancras was selected because of its large and miscellaneous population of 198,000 souls, including large numbers of the working class.

3. That, in order to make the canvass a means of eliciting the opinions of the non-householding population, each householder was requested to ascertain and state the opinions of all residents in his house of the age of 21 years and upwards.

That the canvass lasted from Monday, 18th of May, to the evening of Tuesday 26th, and canvassers employed were 78, some engaged for the whole period, and others for shorter terms. That the strictest care and impartiality were enjoined on all, and in hiring them no questions were asked concerning their sentiments on the subject, nor was it known what sentiments the greater number entertained upon it.

When the canvass papers were returned, the written replies were carefully copied into books, and it is wholly false that persons making no returns were ever entered as neutrals.

The roads, streets, squares, terraces, and places canvassed numbered 836, and the adult opinions registered were as follows:—

	For.	Against.	Neutral.	Total.	Majority for the Bill.
Ward 1 - - -	3,150	1,872	941	5,96	1,278
" 2 - - -	2,516	1,423	573	4,512	1,093
" 3 - - -	4,281	2,814	1,296	8,391	1,467
" 4 - - -	2,040	1,241	428	3,709	799
" 5 - - -	2,470	2,257	766	5,493	213
" 6 - - -	5,283	4,192	1,670	11,145	1,091
" 7 - - -	2,849	2,479	1,003	6,331	370
" 8 - - -	3,955	2,736	1,089	7,780	1,219
	26,544	19,014	7,766	53,324	7,530

Copies of the returns were sent to the daily and local newspapers, and to the members for the borough, who were requested to test the *bonâ fide* character of the canvass. A public meeting was also held in Camden-hall (not the Vestry-hall), when it was stated that the papers would lie for a week or more at 335 Strand, for the inspection of any person. That the use of the Alliance Office was granted for the purpose simply to oblige the promoters of the canvass, as the situation was well known, and as some person would always be present to show the documents. Some person, who refused to give his name, did call (Mr. Morrell states it was himself), who requested, in an uncouth manner, to see the papers of one street. These were shown him, and after examining them he retired, but without attempting to prove that persons who had made no returns were entered as "neutrals." To the above facts I can witness, as having taken a deep interest in the canvass during its entire progress, and as having afforded gratuitous assistance to its promoters. No canvass could be made with a more earnest desire and endeavour to ascertain the real opinions of the people; and the imputations of Mr. Morrell are wholly unfounded.

I hope the Select Committee will yet decide to examine me; or, if not, that they will show their wish to do justice to all sides, by allowing this letter to form part of the documentary evidence submitted and printed.

I am, &c.
(signed) Dawson Burns.

Appendix, No. 12.

PAPER handed in by Mr. *Johnes*, 25 June 1868.

SUNDAY CLOSING, 1868.

RESULT of a CANVASS conducted by means of Voting Papers left for the Signature of the H
holders, and afterwards collected by a Number of respectable Inhabitants of each Place, of whom
two were responsible for the Returns. All acted gratuitously.

The following are fair examples of the results of the returns throughout Wales.

They include the towns in Cardiganshire and Montgomeryshire, in which County Courts are held, of which Mr. A. J. Johnes is Judge.

Aberystwith, in Cardiganshire, is the most important district of his circuit. He has held that Court monthly for upwards of 21 years.
been judge of Machynlleth Court for the same period. It is in Montgomeryshire.

Of Llanfyllin, Llanidloes, and Newtown he has been judge for eight years. The three last-named towns are also in the county of Montgo
which he is a native, and in which he has resided since his appointment in 1847, as was also the case in his early youth.

For these reasons he has had peculiar means of forming an opinion as to the characters of the canvassers and the truthfulness of their
He is perfectly prepared to vouch for both.

NAME OF TOWN.	Number of Inhabited Houses.	Number of Houses Canvassed.	Yes.	No.	Voted Neutral. Did not Vote, Owing to Absence, Loss of Voting Papers, Neutrality, &c.	Names of Responsible Canvassers.	Remarks and Statem of the Chief Canvassers.
CARDIGANSHIRE:							
Aberystwith - -	1,545	1,545	1,477	12	56	Mr. J. Williams, draper, and secretary to Lifeboat As- sociation.	Reports that the inhu are, as he believes, tavern drinking altog
MONTGOMERYSHIRE:							
Llanfyllin - -	252	252	220	5	27	The Rector, who is also rural dean, and Mr. Jones, draper.	Men given to intempera they wished further tions.
Llanidloes - -	about 650	650	610	7	33	Mr. Evans, draper.	The neighbourhood w end to be put to drinking.
Machynlleth - -	398	378	358	1	19	Mr. Jenkins, tanner; Mr. Wm. Morris, retired Inland Revenue officer.	The town petitioned le against drinking on t mises on all days in th Every elector, with trifling exceptions, sig
Newtown - -	1,140	950	845	15	90	Mr. Phillips, bookseller, and Mr. Cook, clerk to the Local Board.	

OTHER EXAMPLES.

The following additional Examples are from Districts in which Mr. A. J. Johnes is now, or has formerly be
Judge of the County Courts.

MERIONETHSHIRE:							
Dolgelly - -	450	450	442	2	6	Mr. Evan Jones, British schoolmaster.	Here poor men offered scribe in aid.
Festiniog - -	1,293	1,270	1,260	3	7	Rev. O. Jones, B.A., Calvin- istic minister, and Mr. D. Owen, blacksmith.	The petition against all ing on the premises, days as well as Sunday signed last year by every inhabitant.
CARNARVONSHIRE:							
Pwllheli - -	520	520	514	1	5	J. Edwards, Esq., mayor.	
Bangor - -	1,622	1,622	1,537	22	63	Mr. J. Thomas, builder; Rev. D. Rowland, M.A., Princi- pal of the Normal College.	The chief canvassers that eight working m of ten wish the tavern altogether.
ANGLESEA:							
Holyhead - -	About 1,450	1,426	1,394	13	19	Mr. Evan Evans, ticket col- lector, Railway Office.	

TOWNS in DENBIGHSHIRE and FLINTSHIRE.

DENBIGHSHIRE:							
Llangollen - -	430	430	412	10	8	Mr. J. Clarke, British school- master.	
FLINTSHIRE:							
Rhyl - -	462	462	454	2	6	J. P. Williams, Esq., town clerk, and secretary of a Literary, Antiquarian and Scientific Society, which in- cludes the leading public and literary men of Wales.	The canvasser reports, feeling of the majority inhabitants in my op against drinking on th mises at all, either on S or on any other day."

I N D E X

TO THE

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

SALE OF LIQUORS ON SUNDAY BILL.

Ordered, by The House of Commons, to be Printed,

7 July 1868.

ANALYSIS OF INDEX.

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1. *Circumstances connected with the passing of the Act.*
2. *Operation and Effect of the Act with reference to Drunkenness.*
3. *State of Public Feeling with reference to the Act; its subsequent Repeal.*

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2. Provincial Towns.
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5. Effect of Employment and the Rate of Wages.
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1. Amount of Drunkenness in the Metropolis in different Years, and Proportion due to Sunday :

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Ellison, Cuthbert Edmond. (Analysis of his Evidence.)—Is magistrate of the Worship-street Police Court, the district of which comprises a very large and poor population, 813-816—Large proportion of the charges before witness which are connected with drunkenness, 817, 818—Impression that as many cases of drunkenness arise on Sunday as on Saturday or any other day in the week, 819-829—Probability of persons laying in drink at home before the hours of closing, if there are increased restrictions on the sale of liquor on Sunday, 830, 831.

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Memorial of numerous large employers of labour in the manufacturing and mining districts relative to the great injury to employers and employed through the sale of intoxicating drinks on Sunday, *App.* 425, 426.

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Enright, John Thomas. (Analysis of his Evidence.)—Was for many years superintendent of police at Southampton, 4431-4433 — Decided improvement at Southampton by different Acts imposing restrictions on the sale of drink on Sunday and week days, 4434-4443, 4476-4479 — Belief that the present Bill would not create any disturbance in the town, and would further diminish drunkenness on Sunday, 4444, 4449-4451, 4462-4468, 4476-4482 — Suggestion that the public-houses be closed till a quarter to one or one, instead of being opened at half-past twelve, just as the people are coming out of church and chapel, 4444, 4445, 4485-4493.

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1. *Amount of Evasion of existing Restrictions on the Sunday Sale of Liquor; degree of Difficulty in enforcing the Restrictions.*
2. *Question as to the Effect of increased Restrictions upon the Amount of Evasion.*

1. *Amount of Evasion of existing Restrictions on the Sunday Sale of Liquor, &c.:*

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2. Question as to the Effect of increased Restrictions upon the Amount of Evasion :

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EXCURSIONISTS :

1. *Extent and Operation of the System of Sunday Excursions out of London.*
2. *Effect of the proposed Increase of Restrictions.*
3. *Concession suggested for the Convenience of Excursionists.*

1. *Extent and Operation of the System of Sunday Excursions out of London :*

Belief as to the practice of excursions out of London on Sunday having tended to diminish drunkenness, *Sir R. Mayne* 42-48—Absence of increase of drunkenness in the suburban districts frequented by excursionists, *ib.* 44-48.

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Denial of certain statements as to excursionists frequently returning home in a drunken state, *Morrell* 6250. 6376-6379. 6416, 6417. 6459-6462—Total of about a quarter of a million of excursionists from London every Sunday; grounds for this statement, *ib.* 6285—Exceedingly salutary operation of the system of Sunday excursions, *Winterbotham* 6555. 6564.

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Statement that the facility under the Bill for obtaining drink on Sunday evening from eight till ten o'clock for consumption at home, would prevent serious inconvenience in the case of excursionists and others, *Lupton* 3167-3175. 3202-3204. 3208. 3212, 3213—Ample facilities for excursionists to obtain beer for consumption at home, under the proposed Bill, *Walker* 3417, 3418—Probable inconvenience to excursionists if the houses were closed at ten o'clock, *Enright* 4454-4460.

Decided advantage if returning excursionists went to their homes for refreshments instead of to the public-house, *Potter* 5052-5054—Grounds for concluding that Sunday excursions out of London are now very limited, and that the Bill would not largely affect this class, *Murphy* 5468-5472—More beneficial character of excursions out of London if the Bill be passed, *M^cCree* 6171-6173.

Difficulties and hardship in the case of London excursionists if the public-houses be closed as proposed by the Bill, *Morrell* 6245-6247. 6249, 6250—Hardship of increased restrictions in the case of Sunday excursionists from London to the suburbs further adverted to; difficulty also in the case of travellers, *ib.* 6285-6290—Serious inconvenience to excursionists and others if the hour for closing on Sunday be fixed at ten instead of eleven, *ib.* 6406-6415—Statement showing the very great inconvenience and hardship to excursionists under the restrictions in the Bill, *Winterbotham* 6539-6544. 6556-6564.

3. *Concession suggested for the Convenience of Excursionists:*

Suggestion that much opposition to the Bill may be disarmed by extending the time of opening on Sunday evening till eleven o'clock, for the convenience of excursionists, *Potter* 5048, 5049. 5051, 5052. 5071.

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Factory Operatives. Large majority of factory operatives in favour of the Bill, *Archbishop Manning* 2383, 2384—Way in which the public-houses on Sunday evening operate very disastrously as regards the morals of factory girls, *Jackson* 3246, 3247. 3251-3256.

Families of Working Men. Great bane of drunkenness, not only to the men, but to their wives and children, *Sir R. Mayne* 160, 161—The Bill would be a great boon to the families of working men, *Greig* 1241—Desolate condition of the homes of the working classes, owing to the want of legislative restrictions upon the sale of drink, *Archbishop Manning* 2385. 2435-2437. 2501—Statement showing the antagonism of the public-houses on Sunday to the interests of religion and morality amongst the families of the working classes, *Hall* 2549. 2552-2558.

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Belief that every restriction upon the facilities for Sunday drinking is beneficial, and enables the working classes to devote a larger portion of their wages to the wants of their families, *Murphy* 5420, 5421. 5544, 5545. 5609-5613—Evidence as to the extremely disastrous effect of Sunday drinking in the districts south of the Thames, as regards the wives and children of the drunkards, *ib.* 5436-5443. 5493-5498—Misery entailed not only on drunkards themselves, but on their wives and families, *Cockburn* 6075—Great boon to working men and to their wives and families if the Legislature were to remove the temptation of Sunday drinking, *McCree* 6169, 6170—Distressed state of some of the lower class of workmen in Sheffield, owing to intemperance, *Wilson* 7880. 7962.

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Female Drunkenness. See *Drunkenness*, 3.

Festiniog. Almost unanimous feeling of the householders at Festiniog in favour of Sunday closing, *Johnes* 8764. 8773.

Findlater, Mackie & Co. Explanation as to witness having retail licenses in connection with most of his establishments, with a view chiefly to selling beer by the single bottle, *Mackie* 4309. 4334-4336. 4353-4364—Practice of witness to close all his houses on Sunday; grounds for the conclusion that he is a considerable gainer thereby, in doing a more respectable business, *ib.* 4310. 4316, 4317. 4334-4339. 4365. 4398-4400. 4407-4413—Further statement relative to the retail business of witness in the sale of beer or gin at the counter, and the mode in which conducted; refusal to serve drunken people or profligate women, &c., *ib.* 4371-4382. 4419-4430.

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Fisher, Aldermen William. (Analysis of his Evidence.)—As a magistrate and alderman of Sheffield, has had a long and intimate experience of the habits and condition of the people, 6776-6780. 6793-6797. 6803, 6804—Great reduction in the charges for drunkenness in Sheffield within the last twenty years, and since the repeal of Mr. Wilson Patten's Act of 1854; 6781, 6782. 6785-6787. 6793-6800—Impression that at an open air meeting, called to consider the Act of 1854, a majority of those present declared against the measure, 6782, 6783.

Belief that the present Bill would cause great dissatisfaction in Sheffield, and would be opposed by a majority of the working classes, 6784-6792—Serious inconvenience to be caused by the proposed restrictions, whilst they are not called for by the state of the town on Sunday, 6785. 6788-6791—Examination upon the question whether witness, as a member of the town council in 1852 and 1853, did not concur in a report from a committee of the council in favour of restrictions; doubt as to this report having been formally adopted, 6801-6824. 6883-6900.

Statement that witness has no connection with the brewing trade nor with publicans; he has acted as chairman of Mr. Roebuck's election committee, the publicans being favourable to Mr. Roebuck, 6825-6833. 6875-6878—Examination showing that during the operation of the Act of 1854 there was a considerable diminution of drunkenness on Sunday; the cases are, however, very rare at present, 6835-6856.

Objection to interference with the reasonable wants of the great majority of the people, even though resulting in an abatement of drunkenness, 6857-6860—Recent canvass of the workshops in Sheffield adverted to, 6861-6867—Belief that the numbers frequenting the public-houses on Sunday are not excessive, and that but little abuse occurs, 6870-6874.

Flather, The Rev. John. (Analysis of his Evidence.)—Clergyman at Sheffield; is secretary to the Town Mission, and has an intimate acquaintance with the habits and feelings of the lower classes on the subject of temperance, 4504-4509—Opinion that, at Sheffield, drinking on Sunday is in excess of other days, 4510—Great diminution of Sunday drunkenness during the operation of Mr. Wilson Patten's Act of 1854; general satisfaction given by the Act, 4511-4519. 4604-4606—Movement on the part of the town council, in 1852 and 1853, in favour of restrictions on Sunday drinking, 4520-4523. 4548. 4561, 4562—Large majority of householders who declared, in 1863, in favour of total closing on Sunday, 4524-4530.

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Information relative to a public meeting in December 1867, attended by about 100 people, in support of the Bill, 4553-4560. 4617-4626—Satisfaction given in Guernsey by the law for Sunday closing, 4563-4565. 4651—Expected opposition, in Sheffield, to total closing, but not to further restriction, 4566-4568. 4599-4603. 4627, 4628—Comment upon the mode in which signatures were obtained to a large petition, from Sheffield, against the Bill, 4572-4577—Earnest support of further restriction by Dr. Sale, vicar of Sheffield, 4578.

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Circumstance of some workmen having voted against total closing on the ground that clubs were not closed, 4571-4596—Impression that many of the licensed victuallers are favourable to further restrictions, 4607-4611—Evil effect of the system of psalm-singing in public-houses on Sunday evening, 4630-4636—Little, if any, inconvenience to be caused by the Bill to lodgers, 4638-4641. 4645-4650—Dissent from the views of the chief constable of Sheffield as to the state of feeling in the town on the subject of the Bill, 4652, 4653.

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Foreign Countries. Latitude of foreign countries in regard to the sale of drink on Sunday, whereas the people abroad are soberer than in England, *Woolrych* 757-761; *Wybergh* 7563. 7589, 7590. 7598, 7599. 7608, 7609. 7662-7664.

France. Statement relative to the sobriety in France in the absence of restrictive laws, *Wybergh* 7563. 7589, 7590. 7598, 7599. 7608, 7609. 7662-7664—Satisfactory working in France of the system of unrestricted sale of liquor on Sunday; letter hereon from a licensed victualler at Calais, *Candelet* 8533, 8534. 8572-8574. 8695-8702.

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Free Trade in Liquor. Extremely injurious effects of the system of free trade in drink in Liverpool, *Leicester* 5864. 5872-5874—Advocacy by witness of free trade in the sale of liquors, *Wybergh* 7568-7570. 7582-7585. 7610, 7611. 7669-7674.

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Freshwater, George. (Analysis of his Evidence.)—Is in the employment of Messrs. Howard, of Bedford; was formerly a publican, 4874-4876—Extensive drinking in public-houses at Bedford on Sunday, much to the detriment of the families of the working men, 4877, 4878. 4882. 4978. 4989-4995—Great boon if drink were not allowed to be consumed on the premises, this being far preferable to a mere limitation of the hours of sale, 4877. 4883, 4884. 4968-4971—Advantage if on Saturday night the hour for closing were ten o'clock, 4878, 4879. 4920-4924.

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Working Men's Institute at Bedford, 4902. 4912-4919—Sufficient opportunity of working men to obtain beer for consumption at home on Sunday, 4904. 4953, 4954. 4967.

Doubt as to excessive private drinking if the Bill be passed, 4925-4927—Very few lodgers in Bedford, to whom moreover the Bill would not prove any inconvenience, 4928-4932. 4973, 4974—Opinion that there would be less illicit drinking than at present, 4933-4936—Absence of any real hardship to lodgers in London if the Bill become law; they would soon accommodate themselves to it, 4947-4959—Justification of restrictive legislation for a great public good, even though individuals may be put to some inconvenience, 4966, 4967. 4975-4978. 4996-5003.

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Friendly Societies. Way in which the Bill would prove a serious inconvenience to numerous burial societies, as at Ashton-under-Lyne, *Aitken* 8178-8185—The subscriptions are collected on Sunday, and are at once paid over to publicans as the treasurers, *Aitken* 8180-8183; *Rea* 8289-8311. 8332-8344—Statement relative to the great inconvenience to be caused by the Bill to sick and burial societies at Stockport, &c., *Rea* 8288-8311. 8332-8344—Evidence in support of the statement that the Bill would prove a great inconvenience and injury to friendly societies, *Candelet* 8526-8531. 8646-8654. 8688-8691.

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HOURS OF SALE:

1. *As to the present Hours of Sale on Sunday.*
2. *Evidence adverse to the Limitation proposed by the Bill.*
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2. *Mortality of Children from Suffocation in Bed by Drunken Parents.*
3. *System of Free Licenses from 1862 to 1866: its Effect.*
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1. *Details relative to the Amount of Drunkenness, &c.—continued.*

Return showing the number of apprehensions for drunkenness, and for offences in which the charge of drunkenness was merged in a graver offence, in the years 1853-67, distinguishing those apprehended on Sunday, *App.* 416.

2. *Mortality of Children from Suffocation in Bed by Drunken Parents :*

Statement relative to the large number of deaths of children in Liverpool through their being overlaid or suffocated in bed by their parents in consequence of drunkenness: less proportion of these deaths due to Sunday drinking than to drinking on Saturday night, *Greig* 1045-1062. 1071, 1072. 1195-1200—Numerous children suffocated in bed in Liverpool by drunken parents between Saturday and Monday of each week, *White* 2907. 2919-2921.

Return of inquests held upon infants found suffocated in bed with their parents on each morning of the week during 1867: large proportion of suffocations on Sunday, *App.* 415.

3. *System of Free Licenses from 1862 to 1866 : its Effect :*

Less drunkenness under the restrictive system than under the free licensing system, *White* 2873—Baneful results of the system of free trade in drink, as tried in Liverpool for about three years, *Leicester* 5864. 5872-5874.

Evidence in explanation of the practice adopted by the Liverpool magistrates from 1862 to 1866 of granting licenses to all applicants of good character; abandonment of the practice in 1866, several memorials having been presented against the system, *Wybergh* 7568-7571. 7612-7645—Approval by witness of the system of free licenses, *ib.* 7568-7570. 7582-7585. 7669-7674—Increase of public-houses and decrease of beer-shops since 1858, *ib.* 7572—Much larger number of licensed public-houses in Liverpool than in Manchester, the drunken cases being also much more numerous in Liverpool, *ib.* 7573-7576.

4. *Effect of Restrictions on the Sale of Drink on Sunday :*

Diminution of drunkenness in Liverpool on Sunday by the partial closing of public-houses on that day, *Greig* 887—Statement relative to the material decrease in the number of drunken cases on Sunday during the operation of Mr. Wilson Patten's Act of 1854, *ib.* 888-913. 958-961—Further diminution of drunkenness on Sunday if there were further restriction upon the sale of liquor, *ib.* 919-921. 931-935. 962—Question considered whether the proposed restrictions would not be very inconvenient to sailors and the large floating population who have no homes: numerous refreshment houses available to this class, *ib.* 1163-1193.

Check upon drunkenness under the system of restriction, *White* 2873—Approval, as regards Liverpool, of the restrictions proposed by the Bill upon the sale of drink on Sunday, there being much drunkenness on Sunday evening which it is very desirable to check, *Gladstone* 2973-2982. 2997, 2998.

Other causes than restriction to which diminution of drunkenness in the town is owing; an increase of restriction on Sunday is, in fact, no check upon intemperance, *Wybergh*, 7588 *et seq.*—Doubt as to the Act of 1854 having produced any decrease of drunkenness, whilst it caused great dissatisfaction, *ib.* 7655-7661.

5. *Effect of Excursions as regards Drunkenness :*

Question considered whether the excess of Sunday drinking is not to some extent owing to the people not taking excursions out of town in larger numbers, *White* 2956-2968—Small amount of drinking on Sunday as compared with week-days; growing practice of excursions adverted to hereon, *Gladstone* 2990-2992. 3000. 3009-3011.

6. *Effect of Restrictions as regards Sunday Excursionists :*

Very little inconvenience as regards excursionists from Liverpool by a restriction of the hours of sale on Sunday, *Greig* 954-957. 999. 1030—Improbability of much inconvenience to steam-boat excursionists at Liverpool if the public-houses were closed at half-past nine, *ib.* 1105-1114.

7. *Public Opinion on the Question of Increased Restriction :*

Very general satisfaction to be given in Liverpool if public-houses were only open on Sunday for an hour and a half in the middle of the day, and an hour and a half in the evening, *Greig* 921-923. 937. 981-986. 1014, 1015. 1124-1126. 1135-1137—Temporary character of complaints by the lower classes and the publicans if the restrictions of the Bill were carried out, and if consumption on the premises were not allowed, *ib.* 924-930. 1016, 1017. 1099—Careful steps taken a few years since in order to ascertain the feeling in the town on the subject of Sunday closing, *ib.* 966-969. 981-983. 1013.

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7. *Public Opinion on the Question of Increased Restriction*—continued.

Large proportion of the householders of Liverpool in favour of entire closing of public-houses on Sunday, there being, however, a very large section of the community opposed to total closing, *Greig* 981-986—Belief that there was no great opposition in Liverpool to the working of Mr. Wilson Patten's Act, *ib.* 1097. 1100-1104—Conclusion that discontent at Liverpool with the Bill would be limited to the class of habitual drinkers, and that the middle classes would be pleased with the proposed restrictions, *ib.* 1234-1240.

Exceedingly careful canvass of the householders generally in 1863, the result being that an immense majority declared in favour of total closing on Sunday, *White* 2880-2883. 2888-2892, 2912-2917—Very large majority of artisans and of labourers in favour of total closing, *ib.* 2891—Reference to a recent large petition from Liverpool as showing the widespread feeling in the town in support of restrictions on the Sunday sale of liquor, *ib.* 2893-2899.

Belief that no public disturbance would arise in Liverpool if further restrictions were imposed, *White* 2925-2937—Immense attendance at a public meeting in 1863 in favour of entire closing on Sunday, *ib.* 2940-2945—Approval of restrictions by large numbers of those who cannot resist the temptation to drink to excess, *ib.* 2954, 2955

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Reference to a canvass in Liverpool on the question of restriction, witness having from the first taken an active part as an opponent of restrictive legislation, *Wybergh* 7577-7585—Feeling of the municipality in favour of further restriction, *ib.* 7688-7690.

8. *Feeling among the Publicans in favour of Sunday Closing :*

Evidence relative to the views and the practice of the publicans of Liverpool upon the question of curtailing the hours of sale on Sunday ; probable satisfaction if there were one restrictive rule applicable to all, *Greig* 926. 962. 970-972. 1035-1038. 1087. 1154-1162. 1224-1233. 1242-1245—Large number of public-houses voluntarily closed, *ib.* 926. 962. 972—Approval of entire closing by a large number of publicans over and above those who have actually closed, *ib.* 970-972—Canvass of the publicans of Liverpool in 1860 upon the question of Sunday closing ; large majority in favour thereof, *White* 2877-2879. 2884-2887—Approval of Sunday closing by a large number of publicans, *Wybergh* 7586.

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Local Regulations. Objection to the hours of closing in different towns being left to the local authorities, *Sir R. Mayne* 263—Concurrence in the objection to its resting with the local authorities in any town, as under the Act of 1864, to apply restrictions upon the sale of liquor on Sunday, *Sir T. Henry*, 438-442.—See also *Permissive Bill*.

Lodgers. Admission that some inconvenience must be experienced by lodgers and others if the Bill be passed, such inconvenience however being trifling, in comparison with the great benefit to the community at large, *Hall* 2577-2595—Comparatively few lodgers in Bolton to be inconvenienced by the Bill, *Barlow* 4263-4265. 4270-4272. 4299-4303—Doubt as to much inconvenience in the case of lodgers, &c., at Southampton if the public-houses could not supply meals and drink to them on Sunday, *Enright* 4469-4475. 4494-4503—Little, if any, inconvenience to be caused by the Bill to lodgers, *Flather* 4638-4641. 4645-4650.

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Belief as to public-houses on Sunday being very necessary for persons in lodgings, *Winterbotham* 6552-6554—Inconvenience to be caused by the Bill in the case of lodgers and others who take their meals in public-houses on Sunday, *Wadhams* 8033-8036. 8142-8145.

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Lord's Day Society. Comment on the widespread opposition on the part of the Lord's Day Society to the opening of places of recreation on Sunday, *Morrell* 6297-6302.

Loss of Trade. Calculation that the Bill would entail a loss of 8,000 *l.* a week to the 5,430 licensed victuallers comprising the Provincial Defence League, *Candelet* 8520. 8608-8613. 8727, 8728.

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MANCHESTER :

1. *Amount of Drunkenness on Sunday and on Week Days.*
2. *Effect of Restrictions on the Sale of Liquor.*
3. *Public Opinion on the Question of Restriction.*
4. *Views of Publicans on the Subject.*
5. *Effect of increased Restriction as regards Excursionists.*
6. *Moral and Educational Condition of the People.*
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1. *Amount of Drunkenness on Sunday and on Week Days :*

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MEALS (LOWER CLASSES):

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2. *Effect as regards meals at Public-houses.*

1. *Effect of the Bill as regards the Sunday meals of the People in their own Homes:*

Obstacle to the middle and lower classes obtaining beer in proper condition at their meals, if the proposed restrictions be carried out, *Woolrych* 752-755. *Ellison* 835, 836. 863-866. 875-877.

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420—Return of the number of charges of drunkenness received at the several metropolitan police-stations on Sundays during 1867: total of 704 charges, *App.* 421.

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Morrell, Robert Matthew. (Analysis of his Evidence.)—Is by trade a goldsmith and jeweller; has had various opportunities of becoming acquainted with the working classes generally, and represents the opinions of a large number of that body on the present question, 6230-6238 —Statement showing that an immense majority of the men in Mr. Poole's tailoring establishment are opposed to the Sunday closing of public-houses, 6238-6241 —Decided objection, on several grounds, to any increased restriction on the sale of liquors on Sunday, 6242 *et seq.*

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Murphy, The Rev. George Mollett. (Analysis of his Evidence.)—Is minister of the Borough-road Congregational Church, has for many years been conversant with the habits of the working classes, and has taken a deep interest in the temperance movement, 5403-5409—Great improvement produced in London by the closing of public-houses on Sunday morning by the Act of 1839; 5410, 5411. 5545—Very beneficial effect produced in Birmingham by the Act of 1854; 5412, 5413. 5545—Premature closing of the Select Committee on the Act of 1854, only one witness out of London having been examined, 5413, 5414—Comment upon the agitation in London against the Act of 1854, and upon the improper course pursued on the part of the licensed victuallers in fomenting the riots in Hyde Park, 5415, 5416.

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1. *Evidence adverse to increased Reduction upon the Sale of Liquor on Sunday as opposed to Public Opinion on the Subject.*
2. *Testimony in support of the Conclusion that increased Restriction would be satisfactory to the Great Mass of the People.*
3. *Views of the Committee as to the Absence of any General Demand for increased Restriction.*

1. *Evidence adverse to increased Restriction upon the Sale of Liquor on Sunday as opposed to Public Opinion on the Subject:*

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1. *Evidence adverse to increased Restriction, &c.*—continued.

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Waygood, Richard. (Analysis of his Evidence.)—Is an engineer in the south of London, employing about seventy men; has had forty years' experience of working men, 7031-7033—Fallacy of the notion that the improved habits of the working classes and the decrease of drunkenness are owing in any way to restrictions on the sale of drink; other causes to which attributable, 7033-7048—Importance of excursions and of the opening of museums, &c., on Sunday, as a means of inducing temperate habits; illustration of this in Paris and Berlin, where there are no restrictions on the Sunday sale of liquor, 7033, 7034. 7040. 7050-7056.

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Wilson, John. (Analysis of his Evidence.)—Is a mechanic at Sheffield, in the employment of Messrs. Rodgers and Sons; has had a very extended experience of the working classes of the town, 7847-7856—Statement as to the partial and incomplete character of the canvass carried out in Sheffield by supporters of the Bill; belief that a full canvass of the workshops would have shown a large majority against further restriction, 7857-7859. 7895, 7896. 7926-7937—Great improvement in the habits and social condition of the people of Sheffield under the existing law, 7860-7867. 7961.

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Winterbotham, Thomas. (Analysis of his Evidence.)—Is a licensed victualler; has been engaged in business for thirty-six years, and has for the last twenty-five years taken an active and prominent part in almost every public question affecting the interests of the trade, 6519-6523—Was a member of the Protection Society in 1854, when Mr. Wilson Patten's Bill was introduced, and explains the circumstances under which a compromise was then effected as to the hours of closing on Sunday, 6524-6530.

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I N D E X

TO THE

R E P O R T

FROM THE

S E L E C T C O M M I T T E E

ON THE

SALE OF LIQUORS ON SUN
BILL.

Ordered, by The House of Commons, to be Printed
7 July 1868.

[*Price 10 d.*]

402—I.

Under 1

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

SALE OF LIQUORS ON SUNDAY
(IRELAND) BILL;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

M I N U T E S O F E V I D E N C E,

A N D A P P E N D I X.

Ordered, by The House of Commons, to be Printed,
26 *May* 1868.

Thursday, 5th March 1868.

Ordered, THAT the Sale of Liquors on Sunday (Ireland) Bill be committed to a Select Committee.

Monday, 16th March 1868.

Committee nominated of,—

· Mr. O'Reilly.	· Mr. Pollard-Urquhart.
· The Earl of Mayo.	· Mr. Leader.
· Lord Claud Hamilton.	· Mr. Pim.
· Sir Graham Montgomery.	· Mr. Monsell.
· Mr. Chichester Fortescue.	· Mr. Dawson.
· Mr. Stacpoole.	· Mr. O'Neill.
· Mr. Murphy.	· Mr. Cubitt.
· Major Gavin.	

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the Committee.

Tuesday, 26th May 1868.

Ordered, THAT the Committee have power to report the Minutes of Evidence taken before them to The House.

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R E P O R T.

THE SELECT COMMITTEE on the SALE OF LIQUORS ON SUNDAY
(IRELAND) BILL;—HAVE considered the said Bill, and taken Evidence
thereon, which they have agreed to Report to the House.

26 May 1868.

PROCEEDINGS OF THE COMMITTEE.

Wednesday 18th March 1868.

MEMBERS PRESENT:

Mr. O'Reilly. Lord Claud Hamilton. Sir Graham Montgomery. Mr. Cubitt. Major Gavin. Mr. Stacpoole.		Mr. Pollard-Urquhart. Mr. Leader. Mr. Pim. Mr. Dawson. Mr. O'Neill. Mr. Murphy.
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Mr. *O'Reilly* was called to the Chair.

The Committee deliberated.

[Adjourned to Tuesday next, at Twelve o'clock.]

Tuesday, 24th March 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Pollard-Urquhart. Lord Claud Hamilton. Sir Graham Montgomery. Mr. O'Neill. Mr. Murphy. Major Gavin.		Mr. Stacpoole. Mr. Chichester Fortescue. Mr. Dawson. Mr. Leader. Mr. Pim.
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Mr. *Henry Wigham*, Mr. *Christopher de Gernon*, and Mr. *Edmund Fitzgerald Ryan*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.]

Thursday, 26th March 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Pollard-Urquhart. Mr. Pim. Mr. Cubitt. Mr. O'Neill. Mr. Murphy. Major Gavin.		Mr. Stacpoole. Mr. Dawson. Mr. Leader. Sir Graham Montgomery. Lord Claud Hamilton. Mr. Chichester Fortescue.
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The Most Rev. Dr. *Patrick Leahy*, Mr. *James Sullivan*, Mr. *Michael John Ralph*, and Mr. *Patrick Pillsworth*, were severally examined.

[Adjourned to Tuesday next, at Twelve o'clock.]

Tuesday, 31st March 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Leader.	Mr. Cubitt.
Mr. Dawson.	Mr. Monsell.
Mr. Pollard-Urquhart.	Mr. O'Neill.
Major Gavin.	Mr. Pim.
Mr. Murphy.	Sir Graham Montgomery.
Mr. Stacpoole.	

Mr. *Francis Lyons*, Mr. *Robert Lindsay*, and Mr. *John Charles O'Donnell*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 2nd April 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Pollard-Urquhart.	Mr. Stacpoole.
Mr. Pim.	Mr. Chichester Fortescue.
Mr. Murphy.	Mr. Leader.
Major Gavin.	Sir Graham Montgomery.
Mr. Dawson.	

Mr. *Thomas Hamilton* and Mr. *Hugh O'Donnell* were severally examined.

[Adjourned to Tuesday, 28th April, at Twelve o'clock.

Tuesday, 28th April 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Pollard-Urquhart.	Mr. Dawson.
Mr. Pim.	Sir Graham Montgomery.
Mr. Cubitt.	Mr. O'Neill.
Mr. Murphy.	Mr. Chichester Fortescue.
Major Gavin.	

The Rev. *Lowry Edmonds Berkeley*, *Frank Thorp Porter*, Esq., Mr. *Michael Carey*, and Mr. *Richard Corr*, were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.

Thursday, 30th April 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Major Gavin.	Mr. Dawson.
Mr. Murphy.	The Earl of Mayo.
Mr. Pim.	Mr. Monsell.
Mr. Pollard-Urquhart.	Sir Graham Montgomery.
Mr. O'Neill.	Mr. Leader.

Mr. *M. Miller*, Mr. *Garrett Barry*, Mr. *William Healy*, and Mr. *John Keegan* were severally examined.

[Adjourned to Tuesday, 5th May, at Twelve o'clock.]

Tuesday, 5th May 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Major Gavin.	Mr. Monsell.
Mr. Murphy.	Lord Claud Hamilton.
Mr. O'Neill.	Mr. Pollard-Urquhart.
Mr. Pim.	Mr. Leader.
Mr. Stacpoole.	Mr. Dawson.

The Very Reverend Canon *McCabe* and Dr. *O'Shaughnessy*, J.P., were severally examined.

[Adjourned to Thursday next, at Twelve o'clock.]

Thursday, 7th May 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Chichester Fortescue.	Mr. Pim.
Mr. Dawson.	Mr. O'Neill.
Sir Graham Montgomery.	Lord Claud Hamilton.
Mr. Monsell.	Mr. Stacpoole.
Major Gavin.	Mr. Pollard-Urquhart.
Mr. Murphy.	Mr. Leader.
Mr. Cubitt.	

The Committee deliberated.

[Adjourned to Tuesday next, at Twelve o'clock.]

Tuesday, 12th May 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Pim.
Lord Claud Hamilton.
Mr. Murphy.
Mr. Leader.
Major Gavin.
Mr. Monsell.

Sir Graham Montgomery.
Mr. Chichester Fortescue.
Mr. Dawson.
Mr. Pollard-Urquhart.
Mr. Stacpoole.
The Earl of Mayo.

Mr. *Cyrus Field* and the Rev. Dr. *Fitzgerald* were severally examined.

[Adjourned to Friday next, at Twelve o'clock.

Friday, 15th May 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Murphy.
Major Gavin.
Mr. Dawson.
Mr. Monsell.
Mr. Pim.
Mr. Pollard-Urquhart.

Mr. O'Neill.
The Earl of Mayo.
Sir Graham Montgomery.
Mr. Chichester Fortescue.
Mr. Stacpoole.
Mr. Cubitt.

Preamble read, and postponed.

Motion made, and Question, "That the Committee do now proceed with the consideration of the following proposed Resolutions"—(Mr. *O'Reilly*)—put, and *agreed to*.

Motion made, and Question, "That the hours for the sale of intoxicating drinks on Sunday, and the other days enumerated in the Bill, be from 2 p.m. until 7 p.m., except in the towns to be hereafter defined"—(Mr. *O'Reilly*)—put, and *agreed to*.

Motion made, and Question, "That in towns, as defined hereafter, the hours be from 2 p.m. until 9 p.m."—(Mr. *O'Reilly*)—put and *agreed to*.

Motion made, and Question put, "That any town defined as hereafter be permitted to adopt the limitation generally applicable to rural districts, in a mode analogous to that provided by Clauses 132 and 133 in the 'Towns Improvement Act, 1844'"—(Mr. *Monsell*).—The Committee divided:

Ayes, 5.

Mr. Fortescue.
Major Gavin.
Mr. Monsell.
Mr. O'Neill.
Mr. Pollard-Urquhart.

Noes, 5.

Mr. Cubitt.
Mr. Dawson.
The Earl of Mayo.
Sir Graham Montgomery.
Mr. Murphy.

Whereupon the Chairman declared himself with the Ayes.

Motion made, and Question proposed, "That the towns referred to in the second Resolution be defined as follows:—All towns with a population at the last census of more than 5,000 inhabitants under the 'Towns Improvement Act, 1854;' and, subject to the same restriction as to population, all towns under the Act 8th Geo. IV. c. 82, all towns under improvement or municipal commissions, and all towns under local Acts, subject also to any special exceptions which may be desirable."

Amendment proposed to leave out "5,000," in order to insert "2,000"—(Mr. *Stacpoole*)—instead thereof.

Question put, "That '5,000' stand part of the Question."—The Committee divided:

Ayes, 9.	Noes, 2.
Mr. Cubitt.	Mr. Murphy.
Mr. Dawson.	Mr. Stacpoole.
Mr. Fortescue.	
Major Gavin.	
The Earl of Mayo.	
Mr. Monsell.	
Mr. O'Neill.	
Mr. Pim.	
Mr. Pollard-Urquhart.	

Main Question put.—The Committee divided:

Ayes, 9.	Noes, 2.
Mr. Cubitt.	Mr. Murphy.
Mr. Dawson.	Mr. Stacpoole.
Mr. Fortescue.	
Major Gavin.	
The Earl of Mayo.	
Mr. Monsell.	
Mr. O'Neill.	
Mr. Pim.	
Mr. Pollard-Urquhart.	

[Adjourned to Friday next, at Twelve o'clock.

Friday, 22nd May 1868.

MEMBERS PRESENT:

Mr. O'REILLY in the Chair.

Mr. Pim.	Mr. Stacpoole.
Major Gavin.	The Earl of Mayo.
Mr. Pollard-Urquhart.	Sir Graham Montgomery.
Mr. Murphy.	Mr. Chichester Fortescue.
Mr. Cubitt.	Mr. O'Neill.
Mr. Monsell.	Mr. Leader.
Mr. Dawson.	

Clause 1, read.—Question put, "That this clause stand part of the Bill."—The Committee divided:

Ayes, 2.	Noes, 7.
Mr. Murphy.	Mr. Cubitt.
Mr. Stacpoole.	Mr. Dawson.
	Major Gavin.
	The Earl of Mayo.
	Mr. Monsell.
	Mr. Pim.
	Mr. Pollard-Urquhart.

Clause 2, put, and *disagreed to*.

New Clause 1, read 1st and 2nd time, and *added*.

New Clause 2, read 1st and 2nd time.—Amendment proposed, in line 2, to leave out "5,000" in order to insert "2,000"—(Mr. *Murphy*)—instead thereof.—Question put, That "5,000" stand part of the Clause.—The Committee divided: -

Ayes, 9.	Noes, 2.
Mr. Cubitt.	Mr. Murphy.
Mr. Dawson.	Mr. Stacpoole.
Mr. Fortescue.	
Major Gavin.	
The Earl of Mayo.	
Sir Graham Montgomery.	
Mr. Monsell.	
Mr. Pim.	
Mr. Pollard-Urquhart.	

Question

Question put, "That Clause 2 be added."—The Committee divided:

Ayes, 9.	Noes, 2.
Mr. Cubitt.	M. Murphy.
Mr. Dawson.	Mr Stacpoole.
Mr. Fortescue.	
Major Gavin.	
The Earl of Mayo.	
Sir Graham Montgomery.	
Mr. Monsell.	
Mr. Pim.	
Mr. Pollard-Urquhart.	

[Adjourned to Tuesday next, at Two o'clock.

Tuesday, 26th May 1868.

MEMBERS PRESENT :

Mr. O'REILLY in the Chair.

Mr. O'Reilly.	The Earl of Mayo.
Mr. Dawson.	Mr. Chichester Fortescue.
Major Gavin.	Mr. Murphy.
Mr. Stacpoole.	Mr. Monsell.
Mr. Pim.	Mr. Cubitt.
Lord Claud Hamilton.	Mr. O'Neill.
Mr. Pollard-Urquhart.	

New Clauses 3 and 4, read 1st and 2nd time, and *added*.

New Clause 5, brought up; read 1st and 2nd time.—Amendment proposed, at the end of the Clause, to add the following words: "Provided further always, that the power hereinbefore given to magistrates in respect of any hotel or inn shall be extended to the case of all other houses licensed to sell fermented or distilled liquors in said rural districts, from the 1st day of March to 20th October"—(Mr. *Murphy*).—Question put "That those words be there added."—The Committee divided:

Ayes, 2.	Noes, 9.
Mr. Murphy.	Mr. Cubitt.
Mr. Stacpoole.	Mr. Fortescue.
	Major Gavin.
	Lord Claud Hamilton.
	The Earl of Mayo.
	Mr. Monsell.
	Mr. O'Neill.
	Mr. Pim.
	Mr. Pollard-Urquhart.

Clause 5 *added*.

New Clause 6 brought up; read 1st time.—Question put, "That this Clause be read the 2nd time."—The Committee divided:

Ayes, 7.	Noes, 4.
Mr. Fortescue.	Mr. Cubitt.
Major Gavin.	The Earl of Mayo.
Lord Claud Hamilton.	Mr. Murphy.
Mr. Monsell.	Mr. Stacpoole.
Mr. O'Neill.	
Mr. Pim.	
Mr. Pollard-Urquhart.	

Clause 6 *added*.

New Clauses 7 and 8 brought up; read 1st and 2nd time, and *added*.

Preamble amended, and *agreed to*.

Ordered, To Report the Bill as amended, together with the Minutes of Evidence.

To Report.

EXPENSES OF WITNESSES.

NAME OF WITNESS.	Profession or Condition.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses allowed to Witness.
				£. s. d.	£. s. d.	£. s. d.
Henry Wigham -	Mechanic -	Dublin -	3	5 5 -	1 10 -	6 15 -
C. De Gernon -	Stipendiary ma- gistrate.	Tipperary -	3	5 15 -	3 3 -	8 18 -
F. Ryan -	Stipendiary ma- gistrate.	Enniscarthy -	3	6 13 -	3 3 -	9 16 -
James Sullivan -	Mechanic -	Dublin -	3	5 5 -	1 10 -	6 15 -
Patrick Pilsworth -	Grocer -	Dublin -	3	5 5 -	3 3 -	8 8 -
Robert Lindsay -	Merchant -	Belfast -	5	6 12 6	5 5 -	11 7 6
John Charles O'Donnell	Resident ma- gistrate.	Belfast -	5	6 12 6	5 5 -	11 7 6
Thomas Hamilton -	Stipendiary ma- gistrate.	Cork -	5	7 15 -	5 5 -	13 - -
Hugh O'Donnell -	Wholesale Grocer	Dublin -	3	5 10 -	1 1 -	7 - -
Francis Lyon -	Mayor of Cork -	Cork -	5	7 15 -	5 5 -	13 - -
Lowry Berkeley -	Clergyman -	Lurgan -	5	7 5 -	5 5 -	12 10 -
Frank Porter -	Retired magis- trate.	Dublin -	3	5 5 -	3 3 -	8 8 -
Michael Carey -	Keeper -	Dublin -	3	5 7 6	3 3 -	8 10 6
Richard Corr -	Superintendent of Police.	Dublin -	3	5 7 6	3 3 -	8 10 6
Moore Miller -	Stipendiary ma- gistrate.	Armagh -	5	8 10 -	5 5 -	13 15 -
Garrett Barry -	Wholesale grocer	Cork -	5	5 3 6	5 5 -	10 11 6
William Healy -	Accountant -	Cork -	5	5 6 6	5 5 -	10 11 6
John Keegan -	Cabinet maker -	Dublin -	3	5 7 9	3 3 -	8 10 9
John Lewis O'Ferrall	Commissioner of Police.	Dublin -	3	5 11 6	3 3 -	8 14 6
James O'Shaugnessy -	Surgeon -	Limerick -	5	7 - -	10 10 -	17 10 -
Edward McCabe -	Clergyman -	Dublin -	3	5 7 -	3 3 -	8 10 -
Dr. Fitzgerald -	Clergyman -	Limerick -	5	7 - -	5 5 -	12 5 -
				TOTAL -	- £.	224 14 3

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Tuesday, 24th March 1868.

MEMBERS PRESENT :

Mr. Dawson.
Mr. Chichester Fortescue.
Major Gavin.
Lord Claud Hamilton.
Mr. Leader.
Sir Graham Montgomery.

Mr. Murphy.
Mr. O'Neill.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.

MYLES WILLIAM O'REILLY, Esq., IN THE CHAIR.

Mr. HENRY WIGHAM, called in; and Examined.

Chairman.] WHAT are you?—I am an
founder, Gas Engineer, &c.
2. You are secretary to a certain association,
you not?—I am one of the honorary secre-
aries of the Irish Association for Closing Public-
houses on Sunday in Ireland.
3. Will you state briefly to the Committee
what was the state of the law before the Act of
1833, commonly called "Mr. Perrin's Act"?—
Previously to that time, I believe the public-
houses were all closed by law, in common with
other trades, on the Sunday.
4. What was the scope of that Act, and what
its title?—It is called "An Act to amend the
laws relating to the Sale of Wine, Spirits, Beer,
& Cider by Retail in Ireland;" it is dated the
10th of August 1833.
5. 3rd & 4th Will. 4, c. 68?—Yes.
6. What change did that Act make as to the
sale of liquors in Ireland on Sunday?—It legal-
ized the sale of liquors on Sunday after two
o'clock, and up to 11 at night.
7. Was a Committee appointed to inquire
into the effects of that Act soon afterwards?—
Yes, there was.
8. In what year was that?—1834.
9. What was the Report of that Committee?—
I have not got the Report, but I have selections
from the evidence. The date is the 5th of August
1834.
10. It was appointed to inquire into the work-
ing of the Act in consequence of the alleged evil
consequences of the Act as to drinking on Sun-
day, was it not?—It was.
11. What Act was passed in consequence of
the Report of that Committee?—The next Act
which was passed (I do not know whether it was
subsequent or not) was the 6 & 7 Will. 4, c. 38.
12. As a matter of fact, did not that Act dimi-
nish the number of hours up to which the sale of
0.55.

liquors on Sunday was allowed?—It did by two
hours; they were then saleable from two to nine
instead of 11; it limited the hour to nine o'clock.
That was in the year 1836.

13. What is the present state of the law?—
The present state of the law is the same as it was
in 1833; it has gone back again to the hours of
2 and 11.

14. When was that change in the law made?
—It was done in the year 1860.

15. What was the Act of Parliament which
made the change?—The Wine Licenses Act; I
have information from the Dublin police to that
effect.

16. *Mr. Murphy.*] The result of the operation
of that Act was that the hours should be ex-
tended to 11 again?—Yes, they were altered.

17. That Act had merely reference to wine
licenses, but under the operation of that Act it
has been construed that spirits and so on can be
sold till 11?—A clause in the Act allowing all
the trade to remain open till 11.

18. *Mr. Pollard-Urquhart.*] That Act restored
the Act of 1833 in fact?—Yes, so far as relates
to the hours of sale.

19. *Chairman.*] Up to 1833 the law as to
houses for the sale of liquors on Sunday, was
the same as with regard to all other branches of
the trade; the sale being prohibited on Sunday?
—I believe so.

20. *Mr. Murphy.*] Have you made inquiries
into the state of the law before 1833?—Yes.

21. Can you say how long that state of law
existed prior to 1833?—My belief is that it
was part of the common law.

22. Are you aware whether the law extended
to England as well as Ireland?—I am not aware.
In the report on the inquiry that was made in
August 1834, some of the witnesses alluded to
that subject, stating that previous to that time
public-houses

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public-houses were closed altogether on Sunday in Ireland.

23. Will you kindly read any evidence given before that Committee which bears out your view?—There is the evidence of Mr. G. W. Carr, folio 232, section 2763: "Have you had any opportunity of observing the effects of interference in England?—I have just stated that I was considerably shocked to find that there were two sources of intemperance worse in England than any I had witnessed of the same character in Ireland, namely, the legalized drinking of spirits on the Lord's day in England, which, till lately, had not been the case in Ireland; until Mr. Serjeant Perrin's Bill was brought in, the penalty in Ireland was 5*l.* for selling spirits on any part of the Lord's day. Then there is a Mr. White, who also gives evidence, at 3142: "What was the state of the law previous to the passing of Perrin's Act as respects the sale of spirits on the Sabbath day?—They were entirely prohibited selling on the Sabbath day. 3143. This Act afforded facilities for the sale of spirits on the Sabbath day which did not previously exist?—It did as far as I have heard; when this Bill was brought in it was proposed that there should be no sale of spirits on the Sabbath day; but I understand it is the case in England that they can sell on the Sabbath day at certain hours, and to assimilate with the Act for England this clause was introduced which has been the ruin of the Sabbath observance; there could not be a greater misfortune to the city of Dublin, inasmuch that the working classes too often upon that day spend nearly the whole of their last week's earnings, which leads to combination, vice, and wretchedness. 3144. Have there not been various petitions presented to the House of Commons against this Act?—I believe there have been several petitions presented for its repeal on account of its permitting the public-houses to be open on the Sabbath day, and at so late an hour on working days. 3145. Is the chief objection to the Act these regulations regarding the Sabbath day?—Yes, its permitting them to open at all on the Sabbath day." The date of the Report is 5th August 1834. There is also a petition from the Dublin Corporation, praying that that Act, as far as the hours were concerned, might be repealed. I have the petition here.

24. Will you briefly state what were the facts connected with the movement in favour of Sunday closing, taking the question up from the year 1866?—On the 29th of November 1866, a conference on the subject of closing public-houses on Sundays was held in Dublin, where a few of the leading citizens were present; they decided on forming the Irish Association for closing public-houses on Sunday. Their first act was to get up a requisition to the Lord Mayor of Dublin, to ask him to call a meeting of the citizens to consider the subject. That requisition was signed by 600 citizens, including the Archbishop of Dublin, Cardinal Cullen, a number of magistrates, clergymen, &c. A meeting was held in the Mansion-house on the 19th December 1866, the lord mayor in the chair. Resolutions in favour of the Sunday closing of public-houses were passed, petitions to Parliament adopted, and a committee appointed to carry on the movement. The committee then decided to send out circulars, with suggested forms of petition to any gentlemen whom they thought likely to be interested

in the subject; to magistrates, clergymen, and others in different parts of Ireland, asking them to petition Parliament. The committee also wrote to Irish Members of Parliament, calling attention to the subject, and a deputation waited twice on the Chief Secretary for Ireland, to call the attention of the Government to the matter.

25. What was the number of the petitions presented in favour of closing public-houses on Sunday?—The number of petitions presented in favour of closing public-houses on Sunday was 560, with 61,342 signatures.

26. Of whom, how many were magistrates?—I believe about 500.

27. To the petition from Dublin, how many signatures were there?—Sixteen thousand five hundred and seventy-four.

28. There was one petition presented from Dublin representing the grocers and spirit-dealers, was there not?—Yes.

29. Signed by how many persons?—Two hundred and thirty-five.

30. What is the total number of grocers and spirit-dealers in Dublin?—More than 1,000.

31. There was rather a remarkable petition from Tullamore, was there not?—Yes, signed by 18 publicans out of 23 publicans in the town.

32. Will you tell the Committee whether any persons were paid for collecting signatures to those petitions in Dublin?—Yes.

33. Were they paid by the day, or by the number of names?—By the day, or by the week.

34. Were any parties paid for getting up petitions in any other part of Ireland?—No.

35. How many petitions with signatures were presented against the Bill?—Only three petitions, with 4,625 signatures, against the Bill.

36. Major Gavin.] Were any of those paid for?—I am not at all aware. There was a petition presented from the Wesleyan Conference assembled at Belfast in July 1867, signed by Mr. Arthur, president, and James Tobias, secretary.

37. Chairman.] A similar Bill to this was carried last year, without opposition to the second reading, and was referred to a Select Committee, was it not?—It was.

38. The proposal to refer the Bill to a Select Committee was opposed, and it was proposed that it should go into Committee of the House at once for the purpose of being passed; was not that so?—It was.

39. Have you any remark to make on the number of Irish Members who were in favour of referring the Bill to a Select Committee?—The number of Irish Members who voted with Major O'Reilly for immediately going into Committee of the House upon the Bill was 30 against 24 who voted for the referring of the Bill to the Select Committee.

40. Are you able to give the Committee any information with regard to any movement which took place in Dublin for the purpose of voluntarily closing public-houses on Sunday?—There was a movement among a number of publicans in the neighbourhood of Thomas-street and James-street.

41. And I believe that 11 of them agreed to close their houses on Sunday?—Eleven of them agreed to close their houses on Sunday, and five out of the number kept to that resolution, the rest having since given way.

42. Will you be kind enough to look at the return which I now hand you of cases of drunkenness

cases made by the police commissioners of Dublin; is a return of the total number of cases of drunkenness in every year from 1862 up to the first half of 1867, is it not?—It is to the 31st of May 1867.

43. Showing the number of cases of drunkenness arrested by the police from Saturday night until Monday morning inclusive?—Yes, up to 0 o'clock Monday morning.

44. What is the total number of cases of drunkenness in the six years?—Seventy-three thousand one hundred and thirteen.

45. How many of those cases occurred on the Sunday, and were brought before the magistrates on the Monday morning?—The number of persons arrested for drunkenness from 7 p.m. on Saturdays to 10 a.m. on the Monday, was 28,353; that is for the five years and a half.

46. Will you have the goodness to refer to the last complete year in that list; namely, 1866, and state what is the total number of cases of drunkenness for that year?—The total number of cases of drunkenness for that year is 11,321.

47. How many of those were Sunday cases?—Four thousand six hundred and eighty-five.

48. What proportion is that?—Nearly half.

49. In that year nearly half the total number of the cases of drunkenness arose between the Saturday night and the Monday morning?—Very nearly half.

50. Is there a considerable diminution in the number of the cases of drunkenness shown in the last two years and a half?—Yes; in the year 1865 the number was 16,192; in the year 1866, 11,321; in the year 1867 (five months) 3,063.

51. That is in Dublin?—Yes, the Dublin police district.

52. Do the Police Commissioners give any explanation at the foot of that return, accounting for the apparent diminution in the number of cases of drunkenness?—Yes, they say that from September 1865, to the present time, owing to the disturbed state of the Metropolis, the police have been very much engaged with other duties, and that their employment in patrolling the streets in pairs would partially account for the lesser number of the prisoners taken up for drunkenness.

53. *Mr. Dawson.*] May we take that to mean that there is just as much drunkenness as there used to be, only that owing to the engagements of the police it is not so easily made amenable to the law?—I think it might also imply that there is not so much drunkenness, owing to the increased amount of police surveillance over public-houses.

54. *Major Gavin.*] Can you inform the Committee whether the population of Dublin has fallen off, or the reverse, within the last two years?—Up to the last census there is a considerable increase, but beyond that time, I have no knowledge.

55. *Mr. Murphy.*] You have stated that prior to the passing of what is called Perrin's Act, in the year 1833, the law restricted the sale of beer and spirits altogether on Sunday?—I believe so.

56. In 1833 Mr. Perrin's Act was passed, allowing the sale of beer and spirits between two o'clock, p.m. and 11 p.m.?—Between two and 11 o'clock.

57. And in 1834 the Committee to which you have referred was appointed, and made its report?—Yes.

0.55.

58. Was that Committee applied for and appointed in consequence of the passing of Perrin's Act?—Yes.

59. With a view to ascertain and report upon what was presumed to be the bad working of that Act?—It was.

60. Are you aware that in consequence of any report from that Committee, Mr. Perrin's Act was in any way altered?—I could not say whether any alteration was made in consequence, but there was a subsequent Act of Parliament.

61. I am referring now to the principle of the total closing on Sundays, and my question is directed to that point, and not to the restriction of the hours of sale; prior to Perrin's Act there was no legal right of sale at all on Sunday, was there?—None.

62. And the Committee of which we have spoken inquired into the operation of that Act and made a report?—Yes.

63. Can you state what was the nature of that report; have you seen it?—I have seen it.

64. Is there anything in that report condemning the operation of Perrin's Act?—I did not see anything of that kind, but I only saw the report incidentally yesterday.

65. The next Act of Parliament is 6 & 7 Will. 4, which limited the sale of liquors to not later than nine o'clock in the evening?—Yes.

66. But was there no proposal at that time to shut up public-houses altogether?—None at all in the Act.

67. Nor in any subsequent Act?—No.

68. You have stated that on the 29th of November 1866 a conference was held in Dublin by a few of the leading citizens upon a requisition signed, and that petitions were got up, and so on; what was the nature of the petition to which you referred?—It was merely a petition to ask the House of Commons to close public-houses during the whole of Sunday.

69. The total closing of public-houses was the object of that petition, was it?—Just so.

70. Did that petition state that no legislative Act would be of any use if it fell short of total closing on Sundays?—I will hand a copy of the petition to the honourable Member (*handing in a Paper*).

71. The object of the petition is total closing, is it not?—Yes.

72. You have considered this subject very attentively, I suppose?—I have.

73. You are aware of the Bill on which this Committee has been appointed?—Yes.

74. Is it your opinion that the provisions of this Bill as drawn, would have the effect of preventing intemperance on the part of those who were disposed to drink?—I think the Bill would decrease intemperance to a very great extent.

75. In what way?—By lessening the temptation of the people who go in to drink at public-houses, namely, by restricting the hours on which public-houses are opened.

76. Does not the Act permit the sale of liquors at certain hours?—Yes.

77. Do you not think that persons who were disposed to drink, and had opportunities of purchasing drink, would purchase it and consume it elsewhere, although they were not allowed to consume it on the premises?—I think that the great amount of drinking on the Sunday is on the premises; people go in to drink together, not

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for the sake of getting the drink so much as from convivial feelings; and when they meet in each other's company, they are only too apt to spend all their money.

78. Has it appeared to you at all likely, in the event of this Bill becoming law, that parties who would wish to drink, and might be allowed to drink in a place that would be subject to the supervision of the police, and where the owner of the house, having a license, would be morally bound, for his own sake, to see that no excesses took place, would be apt, if such a Bill as this were passed, to get their drink at the public-house and carry it to private houses; and if that were so, do you think that the temptation to commit excesses would be less than it is under the present system?—I think it would be less.

79. You do not think it would be likely that parties would club together and send out and get drink, and 10 or 20 of them meet in a private house to which the authorities could have no access, and that under those circumstances they would be more likely to commit excesses than in a place which was open to the supervision of the authorities?—Taking the aggregate of the people, I think the likelihood of excess would be decreased, because the facilities for getting the drink would be decreased.

80. The mere facilities for getting it would be exactly the same, would they not?—No; they would then have to send to the public-house for the drink and carry it to a private house, whereas now they have nothing to do but to go direct into the public-house and get the drink, so that there is no trouble whatever.

81. Do you think that it would be beneficial to the public morals, and to the general good of society and the public peace, with reference to that class of persons who *will* have drink, that those parties should not be subject to supervision while they are drinking?—I think there is greater danger to the public morals from the present system than there would be if the hours were restricted.

82. But if the operation of this Bill engendered the habit of drinking in private houses which are not subject to supervision, is it likely that such a state of things would improve the public morals?—I cannot say as to the morals of the persons themselves, but I think there would be less danger to the public safety.

83. How would the habit I have spoken of be related in your present view to the public safety?—These private drinkers might injure themselves, but in going into public-houses to drink they may meet together and combine, and very often commit acts contrary to law.

84. And could they not do all that in private houses?—Yes, but I do not think they would do it to the same extent that they do now.

85. In the event of their being restricted from consuming the liquor in any place but a private house, you think they would be less likely to commit any excess in such private house where there was no surveillance, than they would be in a public-house where there was surveillance?—I think so.

86. Mr. O'Neill.] Was the meeting held in November 1866, in Dublin, a public meeting?—The first meeting was private.

87. And that meeting adopted the petition which is before us?—No; that was at a public meeting called by the lord mayor.

88. Do you happen to know whether at that

meeting there was any alternative proposal taken into consideration. The petition prays that public-houses and beerhouses may be closed throughout the whole of the day, but was there any alternative proposal of a further restriction in the hours?—There was not; the only subject considered was closing altogether on Sunday.

89. Lord *Claud Hamilton*.] Have you any evidence of the state of public opinion which led to the passing of Perrin's Act?—No, I have not.

90. You come over to give evidence to this Committee on behalf of a society in Dublin; do you not?—To give evidence.

91. You cannot give the Committee the history of what led to the passing of that Act?—No.

92. Have you any evidence, or was there any evidence presented to that conference which showed the deleterious operation of that Act?—There was evidence before the Committee of 1834.

93. But did not that evidence apply generally, and not to Ireland only?—I think it applied to Ireland only.

94. At this conference in Dublin there was a great deal of reference, was there not, to the Forbes Mackenzie Act, and its operation in Scotland?—There was some such reference, but not much.

95. In fact the subject was alluded to?—Yes.

96. Was there not a general expression of a wish to dissimilate the law in Ireland to the law which is established by that Act in Scotland?—Yes; it would come to the entire closing of public-houses on Sunday.

97. I think you spoke as if this movement had been of very recent origin; but in the north of Ireland the Presbyterian and Wesleyan bodies have for many years been agitating the question, have they not, and a great portion of your support came from that source?—A considerable portion, but not exclusively; the movement was quite as much in the south as in the north; the Roman Catholics are very much in favour of it.

98. But the movement in the south is a more recent movement, is it not?—Perhaps it is; in the north the Presbyterians have for many years taken it up as a Sabbath question.

99. Mr. *Pollard-Urquhart*.] Can you speak from what you recollect, or have you heard from others what was the state of things previously to the passing of the Act of 1833?—No; I did not live in Ireland at that time.

100. Have you ever heard others speak about it, and say whether there had been more drunkenness before 1833 than there had been since?—From the evidence which was given to that Committee, it would appear that drunkenness increased after that Act was passed; the petition of the corporation of Dublin in 1834 alludes to that fact.

101. Do you not think on the whole, that there is a much greater proportion of migratory labour going all round Ireland now than there was 30 years ago; I do not refer to tramps, but to people in search of employment going about from one place to another?—I could not say: but there has not been a great number of such people coming within my own knowledge.

102. The proportion of migratory labour in Ireland is not so great as it is in England, but persons do go from their native parishes to seek employment, and should you not say that more do so now than did so previously to 1836?—I have

have no means of knowing; but for the last 10 or 12 years I think the number of such persons is small.

103. Should you not say the migratory population among the labouring classes was rather on the increase in Ireland itself?—I could not say so from my own observation.

104. But for the moment, supposing that to be so, would not the closing of public-houses on Sunday, at certain hours, be attended with very much greater inconvenience than it formerly would have been attended with?—I do not think it would.

105. If the public-houses are closed entirely on Sunday, how is a poor man going about in search of employment to get any refreshment?—He would have to go to an hotel and get it there.

106. Would not that be a much greater expense to him?—Yes, but it would be expensive for him to go to a public-house, for he would very likely get drunk there.

107. Would it be possible to frame an Act so that beer might be sold on the Sunday without spirits, do you think?—I think not in Ireland, for I believe people do not care much about beer there.

108. *Chairman.*] You have been asked whether the facilities for getting drink on the premises would not remain exactly the same if this Bill was passed, but they would, in fact, be diminished considerably with regard to the number of hours, would they not?—Yes, certainly.

109. Now, with regard to a question asked you as to whether people who desired drink would not obtain the drink at the public-house, and take it to a private house to consume it, would you agree with me in distinguishing the great body of the community into three classes for the purposes of this committee; first, those who will not drink, whether a public-house is open or not; secondly, those who will drink whether the public-house is closed or not, because they would certainly take the trouble to go and get the drink at the public-house, and take it somewhere else to drink; the third class being those who are not bent on drinking, and would not go far out of their way for it, but who do practise drinking because the temptation of a public-house is at hand?—Yes, I think that is a fair classification.

110. Would you say that whereas the change in the law is not wanted for the second class of determined drinkers, whom we must despair of making sober by law, or having any effect upon, a change in the law is wanted for the third and by far the largest class, namely, those who are not determined drinkers, but whose drinking or not drinking will depend very much on whether the temptation is close at hand or is removed far from them?—I consider that that is by far the largest class in Ireland; the working man is more at liberty on Sunday, and they go into public-houses to drink from social feelings, rather than from any love of drink; it is for the sake of having a little talk and convivial intercourse.

111. Will you be so kind as to inform the Committee in what districts the voluntary closing of public-houses has been carried out; is it not the fact, that in the Roman Catholic arch-diocese of Cashel, by a voluntary agreement, all the public-houses are closed on Sunday?—Yes.

112. The arch-diocese of Cashel embraces all the county of Tipperary, and some parts of other counties?—Yes.

113. And is it not the fact, that in the Roman Catholic diocese of Ferns the public-houses are closed on Sundays by voluntary agreement, in the same way?—Yes.

114. And in the diocese of Kilmore?—Yes.

115. The diocese of Ferns is mainly in the county of Wexford, is it not?—Yes.

116. And Kilmore embraces the county Cavan, and part of others?—Yes.

117. In that district also the population is very much divided between Roman Catholics, Presbyterians, and Church of England, is it not?—Yes.

118. The other two districts are mainly Roman Catholic, are they not?—Yes.

119. Do you know any other instances of towns or places where the public-houses are closed on Sunday?—In the town of Newry, I believe, all the respectable public-houses are voluntarily closed. In Tullamore there are several but not all.

120. Do you know that the public-houses have been closed by voluntary agreement in the town of Carlow?—I have heard that that is so.

121. *Mr. Murphy.*] You stated you believed that by far the largest class consisted of those who went to public-houses on Sunday for purposes of conviviality rather than for the mere purpose of getting drink, and because they could not go without it; and you distinguished between that class and those who will not drink at all, and again those who must have drink at any cost?—Yes.

122. You stated that the class, whom I will call the convivial class, was by far the largest, and that they went to public-houses because they happened to be open?—Yes.

123. Is it your impression that the convivialists, or those who are actuated by no other feeling than that of ordinary good fellowship, and the desire to spend a pleasant hour or two on Sundays when they are at their leisure, are a class of persons who are highly dangerous to society, or whose fair and natural enjoyments should be restricted by law?—No; but I think there is danger of their drifting into the other class.

124. Has it ever occurred to you that there was a class in another sphere of society, who may also be termed "convivialists," who are members of clubs, and so forth; do you think, abstractedly speaking, that the same kind of restriction should not also be placed upon those persons for fear they might also get into temptation?—I think that people ought not to be allowed to go into clubs from the streets; but if they live in the clubs as they do in hotels, of course a prohibitory law could not be made.

125. But taking the people who go to clubs occasionally on Sunday, do you not think, abstractedly speaking, the same principle ought to be applied to convivialists of that class?—Yes, I think so.

126. *Lord Claud Hamilton.*] Did you ever know of any case where habits of intoxication arose from the use of these clubs?—I think not.

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127. *Chairman.*] You are a resident magistrate in Ireland, at present stationed in the town of Tipperary, are you not?—Yes, I have been there for the last four years.

128. What does your district embrace?—A large portion of the county of Tipperary, together with a portion of the county of Limerick, all of which is situated within the Roman Catholic arch-diocese of Cashel.

129. Your district is entirely situated within that diocese, in fact?—Yes, entirely; or if there is any portion out of it, that portion must be very inconsiderable.

130. Since you have been in that district the system of the voluntary closing of public-houses owned by Roman Catholics has been in force the whole of the time, has it not?—It was in force when I went into the district first, and it has continued in force since then, and also some of the Protestant public-houses have acceded to the request to adopt the system.

131. Some of the public-houses which are owned by Protestants are however opened?—I know that some are closed, and I have not heard complaints of any being opened. I cannot, however say that they are all closed.

132. Will you be kind enough to give the Committee a statement of your experience of the working of this system of voluntary closing?—I have been stationed as a stipendiary magistrate in other parts of the country, and when I was sent down to Tipperary I was rather surprised travelling on Sunday, and particularly on Sunday night, to notice the freedom from drunkenness in the roads and villages. I immediately inquired the cause, and it was then I learnt of this ecclesiastical law of the archbishop, called the law against the sale or purchase of intoxicating drinks on Sunday, and to that I attribute a vast deal of suppression of immorality and crime of those kinds which so often take place among even friends in Ireland when they are returning from public-houses. I have known fatal results to occur when people have been coming from places of worship, they go into public-houses, and the slightest thing creates a quarrel when they are excited with drink.

133. Can you answer from your experience the question, whether, whenever a Roman Catholic church is built, some enterprising publican does not run up a public-house as close as he possibly can to the church in order to induce worshippers on leaving to look in at his bar?—If he can get the magistrates to grant him a certificate, he is sure to do it, but the magistrates are very cautious in granting licenses except there are police stations at hand.

134. From your experience as a magistrate, do you think that large numbers of people go into public-houses in Ireland on Sunday after Divine service; at Roman Catholic places of worship, for instance, and also at other places of worship, to which they would not care to resort if the opportunity were not thrown in their way?—I know that to be the fact. During that period of the year when the labourers get good wages (they congregate in towns for the purpose of getting employment), on Sundays there is more intoxication than at any other time of the year, from which the inference is natural that they spend a good deal of money in the public-houses which

might be devoted to the support of their families.

135. Do you think from your experience that that class of men would, or would not go and try and get drink in any other way if the public-houses were closed entirely, or only kept open for a short period for the sale of liquors not to be consumed on the premises?—I think generally that they would not do so. The lower orders in Ireland are of a generous disposition, and when they meet a friend they think it only fair to ask him to go in and get some drink, intending to spend 6 *d.*, but the temptation being there they very often manage to spend the whole of a week's hire.

136. Tipperary is a county which, during the late political excitement, has had some amount of disaffection in it, is not that so?—Yes; Fenianism was very general among the lower classes.

137. What effect has the closing of the public-houses had with regard to the entrapping of men into the conspiracy?—The public-house offers great facility for the envoys from America to entrap young men in the villages and towns, and for the concocting of their plots and conspiracies.

138. It has been suggested that there would be an increased danger of such results if the liquor was sold within limited hours, and not to be consumed on the premises, because men might then carry off the liquor to some other place where they would not be under the eye of the police, and would hatch their conspiracy in private more freely; but would you, as a magistrate, responsible for the peace of that district, prefer to take your risk of that result rather than that the public-houses should be open and take their chance of the supervision of the police?—I would; I consider that with the present police system in Ireland, if a conspiracy is carried on in private houses, there is a very fair chance of the police getting a clue to it; but if a conspiracy is carried on in public-houses where every one has a right to enter without being questioned, a conspiracy is much more difficult of detection.

139. Perhaps you would also add that there is far greater chance of entrapping young men into such conspiracies, when they only go into a public-house to have a glass of beer, than there would be of entrapping them if they went into a private house?—Yes.

140. Clonmel is in the diocese of Cashel, is it not?—A portion of it is, but that is not in my district, and I do not know much of it.

141. I have received a letter from a Mr. Burke, a grocer and spirit dealer in Clonmel, who states that he is deputed by the wholesale grocers and spirit dealers, who have also retail licenses in the town of Clonmel, to address me; can you state, from your knowledge of him, that he is a man of such position in the town that his statement on behalf of the trade, might be accepted as expressing their opinions?—I do not know him personally, but from what I have heard of him, I consider him to be a respectable tradesman. I know him by reputation in that capacity, and his uncle was for many years the parish priest of Clonmel, and a most respectable person.

142. Will you be kind enough to listen to his letter to me, which is as follows: "Sir, we have been

been deputed by the wholesale grocers and spirit dealers (most of whom have also retail licenses) of this town to bring under your notice what they consider an unjust provision in the sale of liquors in Sunday Bill, which, in conjunction with two other Honourable Members, you have lately introduced in the House of Commons. The Bill proposes to make compulsory the closing of licensed houses, save for an hour or two on Good Friday, and days of public thanksgiving, as well as on Sundays and Christmas day. So far as it relates to the last-named days, the Bill has our hearty approval, for we think the Sabbath should be kept holy by the entire suspension of all unnecessary work, and that the privileges denied to other trades on that day should not be granted to licensed beer and spirit dealers; but it would be manifestly unjust, and opposed to the spirit of free trade, to extend the prohibition to Good Friday and days of thanksgiving, which are not regarded as holidays in Ireland, and have never been distinguished for rioting or dissipation; on the contrary, owing to the penitential season in which it falls, and the working classes being employed as usual, Good Friday has been always remarkable for quietness, and the police returns for that day show few, if any, cases of drunkenness." May we take it that that letter fairly expresses the feeling of the writer's trade in Clonmel, and do you agree in that expression of opinion?—I think that the peasantry of that part of Ireland are not disposed to indulge in liquors, particularly on Good Friday; but the ecclesiastical law in Tipperary, established by the archbishop, does not apply to the holidays of the Roman Catholic Church, and I will inform the Committee of the reason. It appears that a great many of the fairs and markets in the county of Tipperary, and in other parts of the arch-diocese, fall on holidays, and it would be a great hardship on persons necessarily attending fairs and markets to deprive them of refreshments on those days; and I understand that the archbishop who initiated the movement, and whose law it is, considered the hardship it would inflict on such persons, and also thought that it would be prudent to confine the ordinance to Sunday, being aware that it would be impracticable to carry it out on the holidays, and therefore that the whole thing might break down if he tried to do too much. I believe that when Sir Robert Peel was Chief Secretary of Ireland it was suggested to him, when he was about bringing in the Markets and Fairs Bill, that he should in a short clause say, that when a fair fell on one of those holidays (there are not nearly so many of them as there used to be), the fair should be put off to the next day, not being Sunday. Had that clause been introduced into the Bill, it would have enabled the archbishop to make further regulations with regard to the holidays.

143. Then you think it would be a great gain to morality and temperance in Ireland, if fairs which are now held on holidays were transferred to the next working day?—Most decidedly.

144. Can you say to the Committee that that system of voluntarily closing public-houses on Sunday is agreeable to the population of Tipperary themselves?—I am satisfied that it is agreeable to the great majority of them, and I am also satisfied that the very parties who would go into the public-houses and get drunk on Sunday, if the regulation did not exist, are glad to have this restraint placed upon them.

0.55.

145. Do you think that this voluntary agreement which is enforced in Tipperary could be extended without the aid of the law generally throughout Ireland?—To carry that out, there should be a very harmonious working between the clergy of different denominations.

146. Do you think that, taking Ireland as it is, we could carry out that system by voluntary agreement?—I am not capable of giving sound opinion upon that question. In my own part of Ireland it has been done successfully, but whether it could be done in parts where different classes of clergy share the influence over the population, is a question which would require much consideration.

147. You are aware that the Bill in its present form proposes to allow public-houses to remain open two hours in the middle of the day, and one hour in the evening for the sale of beer and spirits, which are not to be consumed on the premises; which do you think would be the best law to make, taking the country districts into consideration first; do you think it would be better to have the Bill shaped, so as to enforce the total closing of public-houses on Sunday, or to allow them to be open for certain specified hours?—It would certainly be a convenience to many people to have them open for one or two hours in the day, but I think it would be more conducive to the public good to have the restriction made complete on Sundays, except in cases where a medical certificate was produced.

148. Mr. Dawson.] Have you been officially employed in your present capacity in other parts of Ireland?—Yes.

149. From your experience in the diocese of Cashel, there is less drunkenness than in any other portion of Ireland that you know?—On Sundays, much less; in fact, I was remarkably struck with the decrease I observed when I went into Tipperary first.

150. Mr. Chichester Fortescue.] Have you ascertained the fact of that decrease of drunkenness from the police returns?—More by personal observation of the comparative fewness of the number of persons brought up before me on Monday morning in Tipperary as contrasted with other counties, and the general appearance of the country; because I live in the open air as much as I can, and I have opportunities of observing the state of the different parts of the country that I happen to be stationed in.

151. You did not know that county before this system was introduced, did you?—Yes, very slightly; I was there in the disturbances of 1848.

152. But have you reason to know or believe that there has been a marked difference in the county before and since the introduction of this system of voluntary closing?—Yes; I know it from conversation, and from remarks that I have heard from many persons of all persuasions.

153. Does that difference extend beyond the Monday morning into the other days of the week?—On the contrary; I think they are as much addicted to drinking there as they are in any other place on the week-days and other days.

154. You think there is just as much drinking in Tipperary as in other parts of Ireland upon the other six days of the week?—Pretty much the same, I think.

155. Do you think there is more?—No, I would not say more.

156. But not less?—I do not think there is less.

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less. It is a curious fact that at times drinking increases vastly for a short space, and that I attribute to wages becoming higher.

157. Eating and drinking both increase when wages are more plentiful, do they not?—We cannot form any opinion with regard to the eating, but we can judge of the drinking.

158. Have you fully considered the danger that might arise under this Bill, of parties assembling to drink in private houses?—I have considered the matter, and I have been consulted by parties on the subject; it has been a topic of conversation; and a person of very considerable experience remarked to me that if parties were prevented from drinking in public-houses on Sunday, they would buy their liquors, and take them home, and set a bad example to their wives and daughters; but my reply to that is, that I have seen wives and daughters go with the men, in order to convoy them home in safety from the public-house, and the result in many cases has been that the whole party have gone home under the influence of liquor from the public-house.

159. Of course, if the assembling of parties in private houses, to drink liquor procured from public-houses, during the open hours of Sunday, were to prevail to any extent, it would defeat the whole of our intentions in the present system of licensing and controlling public-houses, as far as Sunday is concerned?—To a certain extent; but the persons who drink in public-houses have, many of them, no imperative desire to drink at all; but it happens that they can easily show their hospitality by treating their neighbours and friends in public-houses; they do not care to drink in their own houses. The very man whom I have had up before me for drunkenness, when I have asked him, "Cannot you get your drink, and take it home with you?" has said, "We do not care to drink in our own houses."

160. But we will presume, now, that the power of showing hospitality in public-houses is put an end to?—I do not think the people would give their friends whiskey or beer in their own houses; but the restriction we are contemplating might have the same effect as shebeen-houses, though I think the system of police which we have in Ireland is a sufficient guarantee against that being carried on to any dangerous extent.

161. But that means the sale of liquors in unlicensed houses, does it not?—The system was very much carried on formerly, but it has been greatly suppressed by police precautions, though there will always be an occasional house of the kind, no doubt.

162. But the police would have no right to interfere with the drinking in private houses of drink procured from a public-house?—No.

163. And the assembling of parties drinking in the way suggested in private houses would surely have all the bad effect of a shebeen-house without any power of control or prevention existing on the part of the police, is not that so?—I do not think it has that bad effect, because in the shebeen-house they go in and pay for the liquor, while in a private house the individual who owns the house would be showing his hospitality by entertaining his friends; and, I believe, that would not extend to the spending of any great amount of money in general.

164. We are putting suppositious cases only, but supposing drink to be procured to any great extent by a person to entertain others, or by a number of men combining together to get their

drink at the public-house and drink it somewhere else, would not all the evils of the shebeen-houses spring up without the police having any power of prevention?—No, I think not.

165. Not if the practice were to spring up to a great extent?—If that practice were to spring up in consequence of the closing of public-houses, the owner of the private house would have the control over his own liquor; the parties entertained would be much less likely to exceed inasmuch as they would be drinking another man's liquor, and not paying for it themselves; the lower class of the Irish, when they have money, are very much given to showing hospitality by drinking with their friends as much as they can.

166. But people might form little clubs to buy whiskey, might they not?—That is a thing that they do sometimes at present.

167. And if that practice were to spring up to any extent, do you not consider that it would be attended with very bad effects?—Decidedly.

168. You spoke of the great opportunities that public-houses had given for the propagation of Fenianism; but that applies to all days of the week, does it not?—Yes, no doubt.

169. While we are now only proposing to deal with public-houses on Sunday?—Yes; but the Sunday is the day on which persons from remote parts of the country come to the towns. Take Tipperary; it is in a central situation, with a wild mountainous district to the south, and another wild mountainous district to the west. People come down frequently from those places on Sundays; and if clever men from America come over and wish to have interviews with the mountaineers, they have more opportunities of doing so on Sunday than on any other day of the week.

170. You think that the closing of public-houses on Sunday would very much diminish the opportunities of which we are speaking?—Decidedly.

171. Have you noticed any perceptible difference in the way in which people spend their Sundays since the closing of the public-houses?—There are a few dance houses that the people go to; they keep a good deal in the hills and the mountains and the valleys; they are also very fond of sport, and they go out into the remote places with greyhounds and mongrels to catch hares.

172. You think that kind of sport has been promoted by the closing of the public-houses on Sunday, do you?—I do not think it has in any way decreased.

173. How do the men of the poorer classes pass their time on Sunday when they cannot go into the public-house?—I believe they pass their time, a good many of them, in walking about, and they get up little dances, and they are very much addicted to the reading of newspapers.

174. In their own houses?—Yes, or at the doors of their own houses; you may see three or four young men with the "Nation," and the papers generally taken in by the lower classes, one reading aloud to the others.

175. Do you think that the closing of the public-houses on Sunday has increased the reading of that kind of literature?—I do not know whether they would read quite so much, though, perhaps, they might if the public-houses were opened, because they can always see those papers.

176. Do

176. Do the streets appear fuller on Sundays than those towns and villages than they used to be?—I had not much experience in Tipperary before this law was introduced; but the streets are very full now of persons coming in and seeking employment; they assemble in the villages, and wait for persons to come in and hire them; the streets are generally full for a considerable portion of the day.

177. Are there any places of entertainment, other than public-houses, where such men can be in?—There are refreshment-houses where they can obtain bread and tea; but they do not pay much for that, particularly for tea.

178. Are refreshment-houses, or eating-houses, distinct from public-houses, very common in the small towns?—They are not as common as you could wish; in fact, they are uncommon.

179. Has there been any tendency to increase their number since this system was introduced?—I think I have observed that the number is increasing, and that there is a greater consumption of fresh meat than there used to be, which I attribute to the quantity I see hanging up in the butchers' stalls in the small villages.

180. From the small size and the badness of their houses generally, the poorer classes of the inhabitants in Irish towns would not be likely to spend their Sunday in their own houses, would they?—I do not think that able-bodied young men and young women would wish to spend the whole day in their own houses, and in fact they could not do it.

181. Have you heard any complaints of the want of places of public entertainment into which persons can go for a part of the day on Sunday?—No; on the contrary all those who have spoken to me on the subject have spoken of a change in terms of congratulation; they all appear to approve of it.

182. Mr. Pollard-Urquhart.] Do you think that the closing of public-houses on Sunday has led to any increase of card playing on Sunday afternoon?—I do not think it has; there is a good deal of card playing among the lower orders in public-houses, and in other parts of Ireland; there is also a good deal of card playing going

183. Of course the people play for money?—I dare say they do, when they have got it.

184. Would not that lead to a great deal of quarrelling?—Yes, no doubt.

185. Almost as much as taking moderate refreshments at a public-house, I suppose?—No, by no means; the comparison could not be made.

186. You stated that people very often turned to a public-house after coming from their places of worship; are there not a great many people who have to go long distances to their places of worship?—It depends upon where the places of worship are situated, of course; but they are very conveniently placed now; some people prefer going to a large town to chapel to going to a little country chapel.

187. But take four or five miles; are there not a great many people in your district who have to go at least four or five miles to their places of worship?—Perhaps I ought to mention with respect to the law established by the archbishop, that there is an exemption made in favour of those who are staying either in a public-house or in an hotel, and also in favour of travellers; but the distance necessary to con-

stitute a traveller is seven miles, so that if a person travels seven miles to his place of worship he may get a glass of whiskey.

188. Do you think it would be possible to introduce any distinction of that kind into the Act of Parliament?—It would be found very difficult I am afraid.

189. A restriction which has worked very well when carried out voluntarily, might work exceedingly ill when embodied in an Act of Parliament, I suppose?—It is very true; the law has worked so uncommonly well in the county of Tipperary, and the archdiocese of Cashel, that if it could be got to work elsewhere, I think that would be more desirable than secular legislation.

190. There are, of course, many circumstances which apply to the working of the voluntary agreement, which could not apply to the working of an Act of Parliament?—No doubt, but I should say that a publican being a person who is supposed to be licensed by the Government, the law would have considerable power over him, and such a law as that would be supported, I think, by the influence of the clergy of every denomination.

191. Do you think it would be possible for the publicans to volunteer among themselves to sell nothing on Sunday afternoon but beer and provisions, and that such an arrangement could be carried out?—I am afraid not; I am afraid some of them would get to mix whiskey with the beer.

192. You think a voluntary arrangement among the publicans could be made not to give refreshments to anyone who did not come a distance of seven miles; but would it not be just as easy to work a voluntary agreement among publicans to supply no liquor except beer?—Yes, but they have done that in consequence of a very strongly expressed desire of their archbishop, and he has the ecclesiastical power of enforcing his law, and has, in fact, done so; for any persons who infringe the law cannot obtain the sacraments of their Church from the parish priest or curate; they must go before the archbishop himself to receive them.

193. Then if the archbishop was to express a very strong desire to limit the sale of one species of liquor, might not that have the same influence upon them in that respect?—I am afraid they would not draw that distinction.

194. I think you stated that great mischief accrued from people spending a great deal of money on Sundays when they came together, and that the same mischief arose on fair days and market days?—Yes, it is a great misfortune.

195. And yet you would not make the same reasons which apply to the closing of public-houses on Sunday apply to the closing of public-houses on fair days and market days?—It would not be possible to close the public-houses on market days and fair days; the result of that would be, to punish the industrious hard working farmers, in order to prevent certain persons from indulging in too much drink.

196. But does not the same objection apply to the closing of public-houses on Sunday?—It does not apply so much for this reason, namely, that fairs are necessary; the farmers come a long distance, and they require refreshment, while on Sundays such is not the case.

197. You stated, just now, that you believe that many young farmers' sons and labourers

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were entrapped into fenianism in public-houses on Sundays; do not you think that most of those persons are a very harmless class of Fenians, who take a glass of spirits and a small sum of money in that way?—Yes; but many of them have been led to join in Fenian schemes, and the result has been very deplorable.

198. You justify the closing of public-houses on Sunday, on the same principles as those on which you justify the suspension of the Habeas Corpus Act then?—I referred to that topic in answer to a question put to me; I did not volunteer that observation.

199. There is another period at which public-houses are always open, and often do very great harm to the working population, namely, in harvest-time; have you not seen a great deal of money then spent at public-houses which would have been better spent for the household?—Yes; very often the police will have to arrest a man who is helplessly drunk, and when they have got him locked up they find a large sum of money about him. I have known it to be as much as 20 l. or 40 l.

200. Would not some sort of regulation of public-houses, at harvest-time, be justified on the same principle as the restrictions sought to be imposed on Sunday?—I think you could not bring legislation to bear to improve the morals of the people to that extent.

201. But you think it can be brought to bear to the extent of closing public-houses on Sunday?—I think so.

202. Lord Claud Hamilton.] How long has this law, or rule of the archbishop, been in force in your district?—I have been there nearly five years.

203. Did you arrive there when it was already in force, or did the change follow after you got there?—It was in force when I arrived in Tipperary.

204. And you state that you were at once struck with the difference which presented itself between the new district which you now have under your charge, and the one which you had had under your charge some time previously?—Very much so.

205. And you attributed that change to the law of which you have spoken?—I was not aware of the existence of the law at first. I made the remark what a well-ordered district Tipperary was; I saw it on Sundays, and there was less drunkenness and crime there than in any other part of Ireland that I knew; and then I was told that that was in consequence of the law in question.

206. And your experience of the district confirms what you were then told?—Quite so.

207. Do none of the public-houses resist this law, and secretly admit customers?—I know one public-house which is open in defiance of that rule, and I knew another; however, the man who keeps it went to the archbishop and promised to close it, and he has since kept his promise. There is one who keeps open still, but he is a very poor struggling person, who imagined that it was a favourable opportunity for realising a comfortable independence by having the only public-house open on Sunday in a large town. The other person had got his license but a short time before, and was from a part of the county of Limerick that was not within the archdiocese of Cashel; he set the law at defiance for some time, but he has now yielded to the archbishop.

208. Is the one house which is kept open much crowded on Sunday?—It was so during the most active period of the Fenian conspiracy, and the police were forced to have a very sharp eye upon it in consequence of the characters that were seen frequenting it.

209. Have you ever known any practical inconvenience to be suffered by respectable people from the closing of public-houses on Sunday?—Not in my district.

210. You never heard of a case of illness, for example, where stimulants were required, and any deprivation followed from the fact that the public-houses were closed?—No; I take it if a person became suddenly ill, that any respectable persons, clergymen or others, would at once give out whatever stimulants would be necessary upon application.

211. Your experience, in fact, is, that the law has been no injury or inconvenience arising from the rigid application of the archbishop's regulations?—Not in my experience.

212. And that is an experience of nearly fifty years?—Yes, it will be five years in May.

213. With regard to the supposed danger of driving drinking from public-houses into private families, do not you think that the influence of the families, namely, the wives and daughters, a great deterrent from excess of that kind?—At home, in particular, I am sure it is.

214. From the nature of the houses of the lower classes, too, it is scarcely possible for many people to get together for the purpose of drinking, is it?—I expect people would always find room for a sufficient number of people to drink, but I am satisfied of this, that when the wife and daughter accompany a man to the public house for the purpose of seeing him safe out, they often take a little drink, merely because it is offered them, when they would never take it if they were in their own houses. They do it at the public house from a sort of social feeling, and not likely to refuse a person who offers the treat; then a person who is treated wishes to offer a treat to the other, and all that conduces to intoxication. But of course that applies to every day in the week as well as Sunday.

215. You think that all that would not apply to drinking in private houses?—I think not much in private houses.

216. Sir Graham Montgomery.] I understand you to say that you are in favour of the legislation proposed by this Bill as far as it goes, but you would have the restriction carried as far as the total closing of public-houses on Sunday?—I should like to see the ecclesiastical law which exists in the archdiocese of Cashel extended that way.

217. Accommodation for travellers being allowed, of course?—Yes; I mentioned that order to show you that there is no inconvenience suffered by travellers, or by dwellers in hotels and public-houses.

218. Mr. Murphy.] I understand you to say that your opinion is decidedly in favour of the total closing of public-houses on Sunday?—Yes.

219. And that, for the purpose of enabling a good to be done in this particular, you think that is the best, or, rather, the only remedy?—I would recommend that public-houses should be closed entirely on Sundays; but I do not by any means set up my opinion as the best: if more practical men consider that it would be better to have the

en for an hour or so, to enable people to fetch their beer home when it was wanted, be it so; at the same time my experience leads me to form an opinion that the total closing of public-houses on Sunday would be the best measure.

220. You mentioned, in a portion of your evidence, that you were aware that at present parties go to club together for the purpose of getting drunk occasionally?—For the last 20 years, in every part of Ireland where I have been, that has been the case.

221. May I ask exactly what you mean by clubbing together?—A number of persons subscribe, and perhaps buy a vessel of porter, containing five gallons, or some quarts of whiskey, and they meet in a house, to drink it, or, in summer, in the open air; and they have a pack of two of cards, and they smoke, and drink, and play. It is a practice that exists in different parts of the country; I do not say it is very prevalent, but I have observed it.

222. Supposing the Bill under consideration were passed into a law, the effect of it would be that parties would have every facility, during certain hours of the Sunday, for buying as much liquor as ever they chose, but they would be prevented from consuming that liquor in the public-house where they bought it. Now, having regard to the fact that, notwithstanding at the present time people are perfectly able to consume their liquors on the premises where they buy it, they do club together, to drink it elsewhere: do you, or not, think that the tendency of such an Act of Parliament would be to create a larger number of these clubs than otherwise?—I think no increase would be very small.

223. But do you not think that the Act would have that tendency?—It might have that tendency, but I think the increase would be very considerable.

224. Do you think, however, that it would not naturally have such a tendency?—The natural answer to that question is, that there must be some people who, not being able to take their drink in the public-house, would buy it, and bring it away, and drink it elsewhere.

225. The object of this Bill is to lessen what I may call the gregarious consumption of whiskey. Now, if under the provisions of the Bill, as it now stands, although the liquor is not allowed to be consumed on the premises, yet if next door to the public-house where it is bought there were a confectioner's shop set up, and a man went in and bought a penny biscuit, he would be allowed to sit there all day, and drink as much whiskey as he liked; do you think that that state of facts would improve the present state of affairs?—I do not think that would result.

226. Do you, or not, think it likely that, if persons were prevented from consuming the whiskey where they wished to consume it, they would resort to the place next door, if they could do it?—I think they would not do that to any great extent.

227. Will you allow me to ask you why that would not be the case?—A great many people who go to drink in public-houses go in to treat their friends, who look upon it as a generous act; they go in, perhaps, with the intention of spending 6 d. or 1 s., and before they come out they will spend all their money.

228. But supposing they have all that facility at a confectioner's shop, would they not go and do the same thing as a generous act?—They do

not think so much of drinking at other places as they do of drinking at the public-houses; the public-house is the place where they like to entertain their friends, and they generally have a favourite public-house to which they resort, in the same way as one gentleman will ask another gentleman from the country to step into his club and have luncheon or a glass of wine.

229. But supposing all that to be the case, do you not think that if they could do the same thing next door that they have been accustomed to do at a public-house, they would be likely to do it still?—I dare say it might be occasionally done, but such a custom would not, in my opinion, be followed generally, or to any great extent, at all.

230. Then you are not of opinion that if confectioners were allowed to sell as much spirituous liquors as they pleased next door to a public-house, parties would resort to the confectioners instead of to the public-house?—Yes; if whiskey were allowed to be sold by the confectioners I think they would.

231. And you think that people would then go to the confectioners and treat their friends in the same way as they do at the public-house, on condition that they eat something first?—No doubt, as you say, the spending of a penny would be sufficient.

232. Would not that be substantially the same thing as a public-house, particularly if the confectioner's shop were next door to the public-house?—No, it would not be the same thing; and then again, the magistrates have considerable power over the confectioners' establishments, which are besides very few, and they must all get licenses.

233. That is under the present system?—Yes.

234. But suppose this Bill went to the extent of preventing consumption in public-houses, and left the power in those so-called confectioners' shops, do you not think that, substantially, the same practice would exist as now exists in the public-houses?—I think, to some extent it would, but that would be unavoidable; and I should say that if a law is made to tell against the public-houses, it would be imperfect if it did not embrace those confectioners' establishments also.

235. Is it your opinion that any law whatever to prevent people drinking on Sunday in the place where they had bought their liquor would be effectual, unless it were accompanied by a voluntary determination on the part of the people not to drink on Sundays, such as exists in the archdiocese of Cashel?—I think it would.

236. To any great extent?—I am sure it would.

237. Major Gavin.] With regard to those shebeen-houses, can you inform the Committee whether the number of shebeen-houses has increased in your district since the restriction on the opening of the public-houses on Sunday took place?—Not having been there previously to the existence of the restriction, I cannot make the comparison.

238. I suppose there are such things as shebeen-houses there?—I have obtained hints of them, and I have directed the attention of the police to them; in a very few cases parties have been brought up and convicted, but as far as I know there are not so many of the houses in the district as there used to be.

239. With regard to the dance-houses, are you aware

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aware whether liquor is sold in them on Sundays?—At some of those dance-houses I should say it is not consumed or sold on Sunday, but they sometimes come together and bring the beer to the dance-houses and drink it there.

240. But it is not done by the proprietors of the dance-houses themselves?—We generally find that some of the parties at the dance send for the beer, but if it was done by the owner of the dance-house, he would be liable to a prosecution unless he gave it gratuitously.

241. Are you aware of intoxication occurring in those houses to any extent?—I have not heard of any instances of the kind. With regard to the voluntary system too, it is as applicable to shebeen-houses and dance-houses as it is to public-houses; the law is that no person shall buy or sell intoxicating liquors, and without respect to the kind of houses.

242. Is there the same restriction enforced with regard to these dance-houses?—The clergy are on the look out, and they do not wish to see them increase.

243. But they do not put down those that do exist?—There are very few of them; they do not give themselves much trouble about them, but I often pass by those dance-houses and see a number of young men and young women there, and if there was anything going on wrong I would direct the attention of the police to the subject; but it appears to me a very innocent amusement if no *mauvais sujets* get among them; and, in fact, I rather like to see the young men and young women amusing themselves in that way.

244. Mr. *Chichester Fortescue*.] Do you mean on Sundays?—Yes, on Sundays.

245. *Chairman*.] You were asked whether card playing did not often lead to a great deal of quarrelling; would you not think that card playing was very much worse carried on in a public-house than card playing carried on elsewhere; in fact, that card playing with drinking is worse than card playing without?—Yes, of course.

246. You were asked whether it is not impossible to make a distinction with regard to travellers, but are you not aware that that distinction is actually made in an existing English Act of Parliament?—Yes.

247. With regard to the wants of travellers and the poorer classes in Ireland on Sunday, will you inform the Committee what they actually want in the way of refreshment (and not indulgence) on the Sunday. Suppose a labouring man, travelling and looking for work on any ordinary day, would he want beer with his dinner?—Such people scarcely ever drink beer at all as a necessary accompaniment to a meal; beer and whiskey are luxuries to them.

248. Then, as a matter of fact, a traveller of the labouring class in Ireland would not miss the beer or the whisky?—I wish to qualify my last answer; when a labourer dines with his family he scarcely ever takes beer with his dinner, but if he were going into a town he would find it more convenient to take a glass of porter to drink with his meal than anything else; in fact there is nothing else that he can get.

249. You think you cannot draw any distinction between different sorts of liquors to be sold on Sunday?—It would be possible no doubt, but very difficult.

250. You were asked whether the class of

Fenians who were entrapped by being treated in public-houses were not a very harmless class now admitting that they are harmless with respect to the State, are they not often very dangerous to themselves, getting occasionally sentenced to penal servitude?—Yes, and I think that the consequence of the facility offered by public-houses for giving that class of men a glass of whiskey or so, is that they are much more easily entrapped into joining conspiracies.

251. And the consequence to themselves may be severe punishment, however little harm they may do to the State?—Just so; many Fenian who have been entrapped into Fenianism in public-houses have been taken with arms in their hands, and have been sentenced to imprisonment and some of them to transportation.

252. Your opinion, in fact, is in favour of total closing on Sunday; but there are two periods in this Bill at which public-houses are to be left open: one is for two hours in the middle of the day, and the second is for one hour in the evening of the day; what would you say with regard to those two periods; do you think that the hour in the evening is adapted for the purpose of supplying ordinary refreshment, such as the habits of the Irish people would lead them to require?—No doubt; it all depends upon the hour that is fixed.

253. The hours are from two to four in the afternoon, and from eight to nine in the evening. Now, first with regard to the eight to nine in the evening, do you think that will be necessary?—I think if you could leave that out it would be better, and I would suggest changing the morning hour for something later.

254. What hour would you suggest if any were to be given?—I would suggest opening at four and closing at five.

255. Or from three to five?—Yes, I think the middle of the day would be the best and the safe period; I mean the afternoon.

256. You were asked some questions with regard to the evil effects of allowing confectioners to sell intoxicating drinks; will you allow me to call your attention to the fact that there is nothing in this Bill allowing any confectioners to sell intoxicating drinks, so I presume you would be of opinion that the evils suggested by you could not arise under the Bill?—Those particular evils could not arise until such an enactment was passed.

257. The exception in this Bill is as follows:—“That, where any person *bonâ fide* carries on his ordinary daily trade the business of an eating-house keeper, nothing in this Act contained shall prevent such person from selling, or from suffering to be consumed, in the same manner as he might if this Act had not passed, any meat or other victuals for consumption on the premises or any fermented or distilled liquors for consumption on the premises with such victuals, by persons who *bonâ fide* have purchased such meat or other victuals.” Do you think that is a distinction that it would be possible practically to enforce; do you think, in fact, you can distinguish between *bonâ fide* eating-house keepers and publicans?—Yes, I think you can; but if the *bonâ fide* eating-house keeper becomes transformed and if the public-house is shut, it is natural to suppose that many people would go into the eating-house to drink rather than to eat.

258. But the eating house is only allowed to be open for a limited number of hours?—Yes.

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259. *Mr. Dawson.*] Did you ever hear any complaint, on the part of travellers, in this archdiocese of Cashel?—The regulation does not apply to travellers; a person who travels seven miles may purchase what refreshment he requires.

260. You have been asked, with regard to the consumption of beer and other liquors, which, I suppose, is very slight compared with the consumption of whiskey?—The consumption of porter and beer has very much increased of late years, and from what I can learn, it is still increasing, compared with the consumption of whiskey.

261. *Mr. Chichester Fortescue.*] Were you in the county of Tipperary at the time when this ecclesiastical law was first introduced by the archbishop?—No.

262. Are you aware whether there was any difficulty experienced at first in obtaining the compliance of all the publicans with this restriction?—I am not aware.

263. Do the publicans strictly and literally comply with the rule of not selling any liquors to any persons on Sunday?—I think so, except with regard to travellers.

264. And the distinction with regard to travellers is drawn, you say?—Yes; that distinction has been allowed by the archbishop.

265. Is the exception, to your knowledge, largely made use of?—I cannot tell. The exception extends to persons dwelling in a public-house.

266. Are there other exceptions to the rule that you know of?—None.

267. *Mr. Pollard-Urquhart.*] With reference to the question put to you upon the sale of beer and porter, compared with the sale of spirits, let me ask whether a man can get as quickly or as mischievously drunk off beer or porter as he can off spirits?—Not to the same extent, I should say.

268. Therefore, any Act of Parliament that will allow beer or porter to be sold when spirits were not allowed to be sold, would be fraught with much less danger to the morals of the people?—Decidedly.

269. Do your experiences of Ireland carry you back previously to 1833?—I was in Ireland previously to 1833, but I had very little acquaintance with it except by rambling, and going about and looking at the scenery.

270. You would have had opportunities of observing people on Sunday afternoons; do you not think that there was at least as much drunkenness on the Sunday afternoon previously to 1833 as there has been since?—My memory does not carry me back so far; but previously to 1840

I had observed as much drinking. Immediately before the time of Father Mathew, I observed more drunkenness than has existed since.

271. But you cannot speak to the time before 1833, when the Act which first allowed public-houses to be kept open on Sunday was passed?—I cannot say.

272. *Sir Graham Montgomery.*] How many classes of publicans' certificates are there in Ireland; is there but one class, or is there, first of all, a certificate for beerhouses, and then one for hotels, and then one for eating-houses?—The certificate for the sale of spirits is the same to all classes of houses; it is signed by two magistrates, in petty sessions, at one period of the year; and upon that certificate the excise officer grants a license to the publican.

273. A license to keep either one or the other?—A license to sell spirits or beer.

274. Without reference to the kind of house in which he exercises the permission?—Eating-houses, such as confectioners' shops, apply also for a license, and in some cases they get precisely the same license as the publican, on their making a representation that they are about keeping a confectioners' establishment, and the magistrates ascertaining that it is a respectable establishment, and likely to be conducted in a respectable manner, they grant the same license.

275. *Mr. Murphy.*] Has your official experience been founded by residence in cities or large towns, or has it been confined to country towns?—Chiefly to country towns.

276. You have never been stationed in Cork or Limerick, for instance?—I have been stopping officially in Cork and Limerick.

277. But not permanently stationed in any of those towns?—No.

278. Of course, then, you cannot speak with regard to the practical working of such a measure as this Bill would be in any large town?—No. I have been in Cork as long as for some months.

279. But not more than for a few months at a time?—No.

280. *Mr. Stacpoole.*] Would you make any distinction in the hours at which public-houses should be kept open on Sunday in the winter and the summer?—That point struck me at the moment when I was giving my answer to the Chairman; and he made up for my oversight by mentioning the hours of from three to five. I think four o'clock would be too late in the winter, and that from three to five would be the best hours that you could select for all the year round.

Mr. EDMUND FITZGERALD RYAN, called in; and Examined.

281. *Chairman.*] You are a Resident Magistrate in Ireland, at present stationed in the town of Wexford?—I am in a country station at present, but the town is part of my district.

282. Your district embraces the whole of the town, with the exception of the petty sessions district of New Ross?—Yes.

283. That is pretty nearly conterminous with the Roman Catholic diocese of Fernes?—Substantially it is.

284. The same system of voluntary closing of public-houses on Sunday by the Roman Catholics which we have heard described as existing in the

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Roman Catholic district of Cashel, exists too in the Roman Catholic diocese of Fernes, does it not?—It does.

285. Will you be so kind as to give the Committee the result of your experience of the working of that system?—The system is carried out very strictly, with a good deal of attention on the part of the Catholic party, and among Protestant publicans also very generally. There are a few exceptions among Protestants who do not follow the rule. However, my experience is that I do not believe that in all Ireland there is a better regulated or better ordered population than the people

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of Wexford. Since I have been there I never saw a drunken person or a person under the influence of drink in the slightest degree on Sunday. With regard to the habits generally, and the morality and religion of the people of Wexford, I have been in other counties and must say that there is an important difference in their favour.

286. Can you speak of what was the state of things previously to the establishment of this ecclesiastical law?—No; I have been only for a short time in Wexford.

287. But you have had experience in other parts of Ireland, I suppose?—Just so; that law has been in existence now about 10 years.

288. Do you think, from your experience in other parts of Ireland, that where the population is more mixed with regard to religion and other respects than it is in Wexford, it would be possible to carry out this system of the voluntary closing of public houses on Sunday?—I think not. I think it would be morally impossible in large towns and cities that any voluntary agreement of the kind should be come to. Independently of the difference of religion, you have differences in the character of the people, and you have low public-houses whose proprietors would not respect any private arrangements whatever.

288.* I suppose you think that if a small number of publicans were determined to open on Sunday, they would be able to force the others to open too by way of competition?—I do not know that but it would render the whole thing inoperative, because people could resort to the houses which were opened and get their liquor. In the diocese of Fernes the system is carried out on the Roman Catholic holidays as well as on Sundays.

289. Can you supplement that by saying whether or not (I believe it is the case) the practice has been carried out of changing all the fair days which fall on holidays to the next working day?—That has been carried out, and is quite general throughout the country. If a fair falls on one of those holidays of the Roman Catholic church, that fair is held on the subsequent; if a market day, it is held on the day prior; and the public-houses are closed, and the shops of ordinary dealers are also closed on the holidays as they are on Sundays.

290. And that is also due to the influence of the Roman Catholic bishop, is it?—Entirely.

291. It could not be done in any district which was less purely Roman Catholic than the diocese of Wexford; you think it would be impossible in more Protestant districts to fix fair days for the days succeeding the holidays?—Yes, I think so. The bishop had in Wexford a good soil to work upon, and acted with great zeal, and found the people entirely amenable to the influence of the clergy; but in other districts, I think a similar thing would not be practicable.

292. Do you think that change of which we have been speaking, is agreeable to the people themselves?—I can speak not only from observation, but from inquiry. They do not seem to suffer the slightest inconvenience. In place of resorting to the public-house, they are now simply walking about, and so on. I was astonished to see on Sundays the great number of them with their families as I rode through the country. They do not appear to undergo any inconvenience. The publicans themselves are very well pleased with the arrangement, because

it gives them a day of recreation which they did not have before.

293. Can you express any opinion with regard to what might be the views of the mass of the people in other parts of Ireland as to closing on Sundays?—I could not venture to express an opinion. I should fancy that at the first stage it would not be agreeable. Until they became accustomed to it, they would find the restriction severe; and perhaps if they were canvassed just now, they would not be found in favour of it.

294. But do you think that if such a law was passed it would be to any large extent evaded, or to what extent do you think that it would be evaded?—I think not to any great extent. I do not think the character of the Irish peasant is one of premeditated drunkenness; I say that in reference to what has been bruited with regard to evasion of the law by buying the liquor and taking it into other houses. I think the law would not be generally evaded by any pre-arrangement for drinking on Sunday.

295. If the public-houses were open for part of the day, for the purchase of liquor to be drunk on the premises, you think people would not to any great extent make a practice of buying the liquor and taking it home for the purpose of drinking to excess?—I believe that if public-houses were open for any portion of the Sunday, it would do away with all the good which the total closing on Sunday has effected. I may add, that for a very considerable time I had formed a very strong contrary opinion. When this matter was mooted by the Association, I was one of those who declined to sign the memorial when it was sent round for the total closing on Sundays. I thought it fair that an opportunity should be given for a few hours on each day for the people at large to get refreshments. I had not then seen the working of the total closing system; but having now seen it as it operates in the county of Wexford, I have changed my opinion, and I have become a convert to the rule of total closing on Sundays.

296. Will you take from me a few facts, and give the Committee your opinion upon them. In the town of Tullaghmore there are 23 licensed publicans, and out of that number 18 are in favour of the total closing on Sunday, while five are unfavourable to it; do you think it would be possible for those 18 to close their houses on Sunday with any good effect on the habits of the people so long as there were five out of the 23 who persisted in keeping their houses open?—I think that if any number were allowed to stay open on Sunday it would not have the same effect.

297. You think that those 18 would say to themselves that they were needlessly losing their profits on that day, while the drinking would be going on as badly as ever, or nearly so?—I do; and it would be a great temptation to the 18 to open their doors again.

298. Do you think that that illustrates what might be an argument in favour of legislation on the subject?—I do.

299. With regard to the wants of travellers, do you think, from your experience in Wexford, that the travellers of the labouring class in Ireland would be exposed to any practical inconvenience in other parts, or that travellers are exposed to any inconvenience in Wexford from their not being able to buy beer or whisky, on Sunday?

Sunday?—I do not think that the travellers of the labouring class would be subject to any serious inconvenience. We have no great amount of travellers in the labouring class. I think, and perhaps I may follow that up, by stating my experience on another point which has been already referred to. I think that the travellers in the labouring class have diminished very much within the last few years. In the county of Galway, where I once served, there was a very large emigration at a certain season of people going to other counties and to England, but that has diminished very considerably.

300. In fact, you think that the class of migratory labourers in Ireland has diminished?—Considerably.

301. Mr. Pollard-Urquhart.] Since when do you think that the class of migratory labourers has diminished in Ireland?—For the last five or six years it has been steadily diminishing in my opinion, and I might even go back to the last 10 years. It has diminished in proportion to the decrease in the population, and increase in the rate of wages at home.

302. Chairman.] Supposing it was considered necessary to allow houses for the sale of liquors to be open on any part of Sunday, what do you think would be the best limitation to put?—I should say from two to four would be good hours.

303. Should you think that would be sufficient?—Quite. I know another hour has just been named, but the reason why I say from two to four is this,—mass in country districts is over about one o'clock, and any persons coming from a distance would be the only persons for whom I should have any sympathy, and in consideration for whom alone I should be disposed towards allowing the public-house to stand open; but if you keep those people in town until three you keep them too late, while if you say two o'clock they might get home by a reasonable hour.

304. Assuming that it were considered necessary to allow public-houses to be open at all on Sunday, would you consider that it would be more desirable that they should be open for two hours for the sale of drink to be consumed on or off the premises; or to draw the distinction which is drawn in the present Bill, and only allow them to be open for the sale of liquors not to be consumed on the premises?—I had not considered that point before I came into the room, but I should prefer that the liquor should be drunk on the premises rather than off, and my reason is this: I think if you leave the house open for two hours, or for a limited period in any part of the day, the liquor not to be drunk on the premises, you would have a great deal of elubbing together to buy the drink, and drinking it in other places. When parties came out from chapel they would say, "We have only an hour or two, but let us subscribe our money, and take our whiskey out to the fields or to the house, and there we can drink as much as we like." Whereas if they had only two hours in which they can drink on the premises, they would not be able to drink up to any very great amount.

305. Mr. Dawson.] Would you limit the number of licenses in any way with regard to the number of the population, or would you give a license to any one who asked for it?—I am very much in favour of limiting the number of public-houses altogether, instead of giving a license to

any one who applies for it; I have been long of that opinion, and my reason for entertaining it is, that if you give a license to every one who asks for it, you make the license comparatively valueless; whereas if you limit it to a certain extent, the person who takes the license is then so much interested in it that he has a real concern in keeping his house orderly and well regulated.

306. Mr. Pollard-Urquhart.] I believe that the persons who voluntarily join this closing association consider themselves allowed to give refreshment to travellers?—That does not generally exist in the county of Wexford; it is occasionally done, but not generally.

307. Supposing that an Act of Parliament were drawn, would it not be possible to make an exception in favour of the *bonâ fide* traveller?—There would be a great deal of difficulty about it, but it would be possible; I should be very much in favour of recommending a provision for *bonâ fide* travellers, but the difficulty is in making it the subject of legislation, because unquestionably heretofore the law has been evaded to a great extent by people going in, pretending to be travellers, and so getting drink, and the police have no means of knowing who they are. Now, the police have the supervision of these houses, and it is their duty to look into them and to see that they are not open during prohibited hours for people who are not travellers; would it not be possible to make some arrangement with the constabulary, such as that they should give a certificate to parties calling themselves travellers, if they were satisfied that the parties were really so.

308. From your experience of Ireland, do you think some legislation of that sort might be worked out honestly?—I do; I think that there would be a greater chance in that way than any other.

309. Can you go back to the state of Ireland in 1833?—I was at school then.

310. But you had your eyes open, I dare say, on what was passing around you?—I could not attempt to offer an opinion.

311. Would you say that there were as many drunken people on the afternoons of Sundays, previously to 1833, as there have been since?—I should be afraid to offer an opinion, for I was not very observant at that time, but I think there was much more drunkenness at a much later period. I might perhaps add here, that I think under the present Act, the Beer Act of 1860, by which public-houses were allowed to remain open until 11 o'clock (before which, under the Act of William the Fourth, they were bound to be shut at nine), much harm has been done. I think those two hours have been very pernicious hours.

312. Mr. Pim.] Do you think that the habits of the people, with regard to drunkenness, or the contrary, have improved within your memory?—I think they have improved.

313. You stated that you thought there should be some limitation with regard to the granting of licenses; is there practically any such limitation in the county of Wexford?—Practically there is, but it is not limited as much as it ought to be.

314. Suppose a respectable man wishes to obtain a license, what is his course of proceeding?—There are different practices in different counties.

315. But take the county of Wexford?—In Wexford they go to the petty sessions, immediately preceding the quarter sessions, or one or

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two sessions preceding the day of the general quarter sessions, and the same practice prevails in the county of Cork; they apply to the local magistrates in the petty sessions district, and if they are known to be of good character, they get a certificate signed; the publican then issues his notice, and applies upon it to the general quarter sessions. In the county of Cork that certificate is looked upon as an essential matter, and the license is not given, unless a certificate from the magistrates at petty sessions is produced. The matter is considered by the chairman and the magistrates, and if the man is of good character, he gets the license.

316. The number of houses in the immediate neighbourhood is not taken into account, is it?—It is sometimes taken into account, but not so generally as I think it ought to be.

317. Do the magistrates look for any certificate from the neighbourhood, stating that a public-house is wanted, or anything of that kind?—That is not required, but the publicans generally get all the influence they can to bear upon the magistrates.

318. Mr. O'Neill.] Where the public-houses are closed completely on Sundays, where do the peasant classes obtain their beverages?—I think they generally go without them; in Wexford, I am aware that some of them are in the habit, on Saturday night, of buying a small quantity of drink and taking it home with them, but others do without it. I am quite of opinion that the Irish are not premeditated drunkards, and that they will not be at the trouble to buy the liquor a day or two beforehand. They are led a good deal by their social habits to go into public-houses, and there is a practice which prevails generally, and leads to a good deal of drunkenness: suppose six or eight, or 10 men met at the corner of a street, or on a bridge, one says to another, "Come in and have a pint of porter, or some whisky." Then they stay in the public-house, and as a man does not like to be treated without treating in return, the challenge goes round to everyone until they have all been drinking.

319. Do you not think that that which is to a certain extent a hardship, namely, that people should have to do without their Sunday beverage in cases where they are of too temperate a character to lay it up beforehand, would be very much obviated by the public-houses being allowed to remain open for two hours during the Sunday?—Of two evils I would choose the least, and I would much rather that the houses were closed altogether; but if it were thought desirable that the houses should be open at all, I would rather the beer should be drunk on the premises, for the reason I have already given, otherwise people might club together, and perhaps drink a great deal in some other place.

320. Do you not think they would probably settle upon a certain sum beforehand, and that they would send to the public-house to buy what they wanted, making only a limited expenditure, for the purpose of drinking at home?—I do not think the people would go into the niceties of calculation; I think they are led on and on to drink when they begin; it is not so much the limited expenditure that I address myself to, for I think it would be a very dangerous thing that they should get into the habit of clubbing together for drinking in houses which would be subject to no supervision. I think it would be a

most dangerous thing if there were any conspiracies going on.

321. Mr. Murphy.] With regard to the question you have just been asked as to limiting the expenditure, do you not think that it is very likely that if by preventing the consumption of liquors on the premises, parties who would club together would very soon arrive at the knowledge of how much money each one would have to expend in order to arrive at the desired result?—I dare say.

322. Then they would generally lay in more than they would want, probably?—I dare say they would.

323. You know something about the county of Cork, do you not?—Yes, I was stationed in the county for nearly four years, and know the cities of Cork and Limerick.

324. Now presuming that a law was passed prohibiting the drinking of liquors on the premises, or supposing that a law was passed absolutely prohibiting drinking at all on the Sunday, let me ask you, having regard to your knowledge of the class of persons concerned, do you think they would like to submit to a law legislating for them and not legislating for other parties, who would have just as good a claim to be legislated for; or do you think that a feeling of dissatisfaction in that respect would be created?—In cities I think it would, and, in fact, such a law would be class legislation to some extent.

325. You think it would create uneasiness and dissatisfaction which otherwise would not be created?—I have no doubt that a very large class of people would feel it very keenly; they would say, "A gentleman can afford to go into his club and drink, and he is not prohibited, so why should we be prohibited?"

326. You have given a decided opinion, that if liquors are allowed at all to be purchased on Sunday, it would for every reason be much better that that liquor should be drunk on the premises, where it might be drunk under supervision in a licensed house, rather than in a private house where the authorities would have no power to enter?—I do, although I believe the supervision of public-houses is very limited, unless there are cases of rioting or disorder.

327. Does it not strike you that the fact of a publican having a license, and knowing, as a rule, that if there are two or three convictions against his house for disturbance, it is morally certain that on the next session for granting licenses he will not obtain a renewal of his license, would have a great deterring effect?—Convictions against public-houses are generally for having them open at prohibited hours, and it would be a very wholesome thing if we could get a conviction against a man for allowing people to get beastly drunk on his premises.

328. Do you think it would be a salutary enactment if some provision could be introduced into the Act whereby, to a certain extent, the licensed publican might be made answerable in some way for any excess that he might have been the means of preventing, and did not prevent, in his house?—I think that it would be very wholesome if such a thing could be devised, because we all know that if an unlucky man gets into a low class of public-house (of course there are exceptions), as long as that man has 1s. to pay with, he may go on getting drunk.

329. If it could be proved that a man came to a public-house being undeniably (I will not say drunk,

drunk, but) so full of liquor that he did not want any more, and that the publican gave him more, would be very desirable that the publican should be visited with some penalty?—I think it would be a very excellent thing; but it would be said in such a case that the man had got drunk in some other house. We have tried to bring that to bear among the magistrates, but that excuse is made. Still the question has arisen whether it could not be brought under the provisions against keeping disorderly houses. The people always say that the man got drunk before he came into their house, where he had only had, perhaps, a pint of beer.

330. *Major Gavin.*] Do you think that a well-regulated public-house would do any harm if it were kept open for a certain time on Sundays?—I think it would be better if they were all closed; but if the Committee think it desirable to open all of them during any part of Sunday, I think the liquor should be drunk on the premises.

331. Since you have been in Wexford, I think you said that you had never seen a drunken man on Sundays?—Never, to my recollection.

332. You have been in other parts of Ireland?—Yes, in Middleton in county Cork, and in the county Galway for many years, and attached to my district there was a portion of the county Tipperary.

333. Are the Sundays generally the drunken days?—On week-days the men are at their ordinary occupations, but on Sundays they congregate at their different places of worship; and after that they are some of them liable, unless where this voluntary agreement holds, to go and pass the afternoon in public-houses; so that Sunday may be called the drinking day.

334. Have you ever heard the publicans at Wexford complaining of this rule for shutting up their houses on Sunday?—Never. All that I have spoken to approve of it; and I have heard one man rejoice that he had now a day's recreation which he never had before, himself and his family having been obliged to attend to the customers.

335. You were mayor of Limerick, were you not?—Yes.

336. And you had great experience in that capacity, with regard to public-houses?—Yes.

337. Do you think you could carry out the voluntary system there?—I think that it would be impossible.

338. In Wexford, have you found that dance-houses and shebbeen-houses have increased?—I cannot say that they have increased, because my own experience is limited; the number of shebbeen-houses is very limited; but there is a class of houses that do not come under that name, in Wexford, kept by fruit-women and small dealers, who buy a small quantity of whiskey, never exceeding half-a-gallon, and generally not more than a quart, on the Saturday evening, and on the Sunday they will give a glass of that to any one; they will retail it, in fact; but the shebbeen-house proper is a place where you may go in any day or night, and buy a glass of whiskey, and make a sitting. Still, selling without a license, in small quantities, is a practice which is, to some extent, in existence on Sundays.

339. There is no such thing, you say, as a dance-house in Wexford?—None that I know of.

340. But you have known of their existence in other places?—Yes.

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341. Have you ever known spirits to be drunk at dance-houses?—Yes; and the arrangement usually made to avoid payment and selling without a license is to sell the ticket for the dance, 1s. for a couple of people, and then they get a tumbler of punch, or a pint of porter each.

342. You are of opinion that the closing of the public-houses in Wexford has not induced people to open those dance or shebbeen-houses to any great extent?—I am not aware of any dance-houses being open at all, or of shebbeen-houses to any great extent; but I believe the closing on Sundays would naturally have a tendency to increase a limited sale among certain individuals, even if there were some shebbeen-houses open; my experience of shebbeen-houses is that their presence is very much to be deplored, but that even as to drunkenness it does not exist in them to the same extent as it does in public-houses; the public-houses can keep and sell any amount of drink, but in the shebbeen-houses the people are subject to a very heavy penalty if they are discovered, and the seller is very often deterred from giving drink from the fear of being found out if he gives too much.

343. *Chairman.*] You were asked whether legislation for closing public-houses entirely on Sundays would not excite in large towns a feeling of animosity on the part of the labouring classes, upon the ground that they might consider it a kind of class legislation; now clubs are open all day on Sunday; but do you think that the class of persons in whose interest public-houses are partly shut up on Sundays in London feel the law which shuts up the public-houses, and at the same time allows the clubs to be open, as class legislation?—I would not push that point very far. I have no doubt some people would make complaints, but I should not sympathise with that complaint, for the two classes of people are totally different; one of them has position in society and character to act as a check, whereas the others go into public-houses to drink, and we know what happens.

344. There is also this further distinction, is there not, that the primary object of the club is not drinking, the drink being indeed a mere accident, whereas the whole scope and primary intent of the public-house is the supplying of drink; do you not think that people would recognise that distinction?—Yes. I would not push the point at all; but the complaint would be made, no doubt.

345. Do you think that the people of Ireland would feel such a law as a grievance?—I do not think that they would feel that it was a grievance; they would complain of it, perhaps, and draw a contrast, saying that the gentleman could go to his club while the working man could not go to his public-house, but that is all.

346. It has been suggested to you, and you have agreed in it, that it would be very desirable that licensed publicans should be made liable for any excesses that they allowed to take place in their houses; but is it not now actually an offence in towns to supply drink to a person who is in a state of intoxication?—I do not know that there is any Act of Parliament which goes to that length.

347. At all events, there is a police regulation which goes to that length?—Perhaps so.

348. Would it not, in your opinion, be practically impossible to prove such a case unless there were a policeman in every public-house?

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—I think I conveyed as much; but if that difficulty could be overcome, that would be very beneficial.

349. You have been asked whether you believe that any complaints have been made by publicans in the county of Wexford on account of this law; what is the position of the gentleman whose letter I hold in my hand, a respectable spirit dealer of the town of Clonevin, near Gorey?—I believe he is a very respectable man, and a man of considerable means.

350. And a man who might be taken to represent fairly the views of his class?—Yes; I should fancy so; he holds a very large farm, and he has got a drapery shop besides.

351. The letter is as follows: "In reply to your inquiry regarding the effect the closing of public-houses has had in my locality, it is now nine years since our respected bishop, the Right Reverend Doctor Furlong, assisted by his zealous clergy, and I must add by the cheerful and generous assistance of the trade in closing the houses on Sundays and holidays, have produced results beyond any man's expectation, at the time it was started. Instead of seeing flocks of young men and women making their way to the public-houses on Sunday evenings, you will now see them attending at vespers, and returning home like Christians, not as heretofore, going into public-houses and stopping till nine o'clock, and then getting home in twos and threes as best they might. I have no hesitation, as far as my opinion goes, of pronouncing the movement you have so much at heart to be the best measure ever contemplated for the benefit of the great bulk of our countrymen, and I must add that I have some little experience of both sides of the question. I was born and reared in a public-house kept by my father, who perhaps kept it as well as any country house; I have kept one on my own account for the last 27 years, and do so still; and every day's experience proves to me that there is nothing would tend to the comfort of the hard-working man so much as to shut up the occasion of temptation, for I know men in my own neighbourhood who spent their wages on Sunday evenings in drink, while the houses were open; and I assert, without fear of contradiction, that those very same men did not spend a shilling a month on whiskey since, and their families are happy and comfortable." May we take that as a fair representation of the opinions of a man who does not differ from the majority of his class in his views?—I do not know that I might go as far as that, but I should agree with it myself, for I know from reputation that the writer is a very respectable man, and I may add that I do not know any place where people attend their places of worship in such large numbers, and so regularly, as the county of Wexford.

352. Major Gavin.] It is a model county, in fact?—It is indeed.

353. Mr. Dawson.] You have said you thought it would be impossible to carry out this voluntary abstention from Sunday drinking in Lime-
rick; on what grounds do you think so?—Where it has been carried out on the voluntary system, it has been carried out through the influence of the clergy of one denomination; that is to say, the Roman Catholic bishops and clergy, but in all large towns there are persons representing every sect; and, again, there are public-houses which are not as properly conducted as those in the rural districts, and the keepers of them would

not be subject to the influence of any religious body whatever.

354. Your answer means, I suppose, that in very populous districts it would hardly be possible to carry out this voluntary abstention?—Yes.

355. Mr. Leader.] Would you extend that answer to towns in general?—Yes.

356. Mr. Pollard-Urquhart.] Are you aware whether the closing of public-houses on Sunday in Wexford has caused any discontent among the labouring classes?—None.

357. Do you think that there is any reason why this compulsory closing should create such discontent?—None; of course some of the people are more displeased than others with it.

358. But you do not think the labouring classes would suffer any inconvenience from such a rule if generally enforced?—I think not.

359. Do you think that any great evil might arise from allowing beer alone to be sold on Sundays?—That might be made a cover for the sale of whiskey.

360. But might it not be a great hardship for the labourer who would like a little beer on Sundays, not to be able to get it on the only day on which he had an opportunity of drinking it perhaps?—In Wexford those who care for beer on Sunday are in a great minority, and they provide it on Saturday.

361. But the beer deteriorates by being kept, does it not?—Yes, there is an inconvenience, no doubt.

362. And you think that if the distinction between the sale of spirits on Sunday were made, it would be very much abused?—Yes, I do; I know cases where a mere beer license has been made a cover for the sale of whisky.

363. And you think the police could not prevent the abuse?—I think it would be impossible; they find it exceedingly difficult as it is to exercise such supervision as they ought to exercise over public-houses.

364. Mr. Pim.] Are the public-houses in Wexford generally small places which would be served by the owners of the house and his family?—Yes, very generally.

365. And not in many cases with hired assistants?—No, except in the towns and larger houses in the county it is as you state.

366. In many cases it is the publican's daughter or wife who serves the customers?—In very many cases.

367. Mr. Murphy.] The bishop's recommendations in the diocese of Ferns are, of course, carried out by the voluntary adhesion of the people themselves?—Yes.

368. Is it your opinion, that if an attempt had been made by the civil authorities to carry out this object by permitting spirits to be sold during certain hours on Sunday, but not to be consumed on the premises (enforcing provisions like those in the Bill in fact), the same result would have taken place?—I do not think so; I think that if liquors were allowed to be sold at all on Sunday, it would do away with a great deal of the present good effects of the rule. If you permit the thin end of the wedge to be introduced, you will open a wide door.

369. You think that total closing is by far the best?—My opinion is, that total closing is the best, but the next best thing is the limiting of the time for sale to the hours of from two o'clock to four.

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370. The liquor to be drunk on the premises, however?—That is my opinion.

371. Major *Gavin*.] Do you think if a law was passed closing public-houses on Sunday, that it could be carried out as easily at Wexford as it is now carried out by the voluntary agreement which exists?—I could not say, for I did not know Wexford before the voluntary agreement was introduced; but perhaps it would meet your question. I were to say that, as far as Wexford is concerned, I think legislation for closing public-houses wholly on Sunday would weaken the effect which is at present felt in Wexford, because you do not propose to extend your legislation to the holidays which are now regularly and similarly observed there. I fear that if the matter is taken out of the hands of the bishop, and permission is given to open public-houses on the holidays, people will avail themselves of it; still I think that the general benefit to the whole of Ireland would be so great that that should not be taken into the calculation.

372. *Chairman*.] Is there anything you wish to add to your evidence?—I may add one other ground for my anxiety to see public-houses closed wholly on Sunday, namely, my observation in another district, as to the very great amount of injury that was effected on Sundays in the Fenian movement; I have perhaps been much mixed up in investigating Fenian complaints as any other magistrate in Ireland, and the system which the "Centres," as they were called in Cork, adopted was generally carried out on Sunday. Before Fenianism developed itself fully, those men were furnished with money, they went into public-houses, and Sunday was almost invariably chosen as the day for their operations, because people could more easily be got together on that day; they treated their dupes one by one, then took them into the back yard and swore them, and in nine cases out of 10 they did this on Sunday in preference to any other day of the week. In Wexford, where this system of restraint has existed for 10 years, I believe that there is not, however, one particle of organised Fenianism; there may be sympathisers but there is no organisation, and it will be for the Committee to consider whether that would not be a result of the rule, that drinking on Sunday should not exist.

373. Is it not the fact that in the Rebellion of 1798, this very county of Wexford was more deeply implicated than any other, and that, from

the history of that period, we should be led to expect that Wexford would be a more fruitful soil for Fenianism than in any other county in Ireland?—Yes.

374. And yet it is a county in which Fenianism does not exist to any appreciable extent?—Yes, in 1848 disaffection was very rife in particular portions of the county of Wexford, particularly around Enniscorthy.

375. Mr. *Pollard-Urquhart*.] Have you heard that absence of Fenianism accounted for by reminiscences and traditions of 1798, keeping alive the horrors of the rebellion in the memory of the people?—I have heard it said that they got so much of it in 1798, that they have not forgotten it since; but that was not stated with any degree of authority, nor do I believe that there was any ground for it.

376. You attribute the result in question more to the closing of public-houses on Sunday, do you?—Yes, and to the good disposition of the people; otherwise, I do not know how to account for it; there has been a great deal of Fenianism in the neighbouring county, which is only separated from Wexford by a river.

377. You believe that in 1848 a great deal of sympathy with rebellion did exist in Wexford, do you?—I have heard so.

378. Major *Gavin*.] From your experience of Ireland, does it strike you that in Wexford they are more strictly religious people than in any other place in which you have been quartered?—Yes, certainly; remarkably so.

379. Would you attribute the absence of Fenianism in Wexford to their being more religious than in any other part of Ireland?—I do think it is, to a very great extent, attributable to the religious sentiments of the people; who know that no sworn Fenian can be a practical Roman Catholic.

380. Sir *Graham Montgomery*.] Do you consider that the people have been more attentive to their religious duties since the closing of public-houses on Sunday?—I was not there before the closing of the public-houses on Sunday; but it is only just to the character of the people to mention one fact, that in the town of Enniscorthy, where I have been residing for some short time out of a population of 5,000, there is not one public prostitute to be seen on the streets; I have ascertained that from the clergy and the police, and it is a point which I have not noticed in any other town of the same size.

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Thursday, 26th March 1868.

MEMBERS PRESENT:

Mr. Cubitt.
Mr. Dawson.
Mr. Chichester Fortescue.
Major Gavin.
Lord Claud Hamilton.
Mr. Leader.
Sir Graham Montgomery.

Mr. Murphy.
Mr. O'Neill.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.
Mr. Stacpoole.

MYLES WILLIAM O'REILLY, Esq., IN THE CHAIR.

The Most Reverend Dr. PATRICK LEAHY, called in; and Examined.

Rev. Dr.
P. Leahy

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381. *Chairman.*] You are the Roman Catholic Archbishop of Cashel?—I am.

382. Will you kindly state to the Committee the steps which you took in the district under your jurisdiction to put a stop to the sale of intoxicating drinks on a Sunday?—I became a bishop just about this time 11 years ago, and since that time till now I have devoted myself to the work of propagating temperance among the people by a variety of ways and means; sometimes by administering pledges of temperance for a long or a short time, according to the nature of the case, sometimes by exhortation as I went through the diocese performing the duty of visitation, but the principal means that I had recourse to for the purpose of enforcing temperance through the diocese, and especially on Sundays, was what we call in our diocese the Sunday temperance law.

383. Will you kindly state what that is?—The purport of that is, that nobody should buy or sell any spirituous liquor on a Sunday in ever so small a quantity.

384. How long has that been observed in Cashel?—I introduced it first by degrees, as I went from one parish to another in the visitations; it was a kind of experiment. I did not introduce it altogether, or at once, till I had felt my way, and made sure that I could induce the people to observe it. I tried it first in one parish, and then in another, until I had gone through the greater part of the diocese, and then I made it a general regulation. I had been trying it two or three years in that way, up to 1861, when I made it a rule for the entire diocese, so that it is now in full force throughout the whole of it, and has been since the year 1861.

385. What are the exceptions with regard to the rule; is there any exception with respect to travellers?—Yes, travellers are exempt from the observance of the rule; they may buy whatever they want, and the vendors of liquors may sell to them; they are perfectly free to sell, and travellers are free to buy. There is another exception, and that is a case of necessity of whatever nature it might be, but I made it a part of the rule that the clergy in their respective parishes should be the judges of the case of necessity. In some cases it would be impossible to

refer to the clergy, but, generally speaking, left them to be the judges of the question of necessity.

386. But the public-houses are not kept open for the sale of drinks to travellers, are they?—No, but the keeper of the house is at full liberty to sell to any traveller who applies.

387. How does that work as to ascertain who are really travellers?—That became a practical question which I had to determine for the guidance of the clergy as well as the people. I laid it down as a practical rule that anybody should be considered a traveller who had gone seven Irish miles from home.

388. How is the publican supposed to ascertain that?—He can only take the word of the person who says he is a traveller.

389. Have you found that work satisfactorily?—Most satisfactorily. The law has wrought wonderful change in the moral condition of the people.

390. And you think that drunkenness has decreased in consequence?—Greatly; and principal object which I had in view from the first was not only to prevent drunkenness, but also to prevent the desecration of the Sunday because I must confess that in the towns throughout my diocese most disgraceful scenes used to take place on the Sunday; and it was a principal object with me to prevent that unchristian desecration of the Lord's Day and of the church holidays as well, though I did not annex the regulation to the holidays.

391. I believe I am right in saying that though you only became Bishop of Cashel 11 years ago you have resided all your life in that country?—Yes.

392. Can you state what is the feeling of the people themselves who are affected by this regulation with regard to it?—To my own knowledge the people reckon it the greatest possible blessing to the country, even those who may be injuriously affected by it. Many of the keepers of public-houses have often confessed to myself that it was the greatest blessing to the country at large.

393. What sized towns are comprised in the district?—There is no very large town within the diocese of Cashel and Emly; the principal towns are Thurles, Tipperary, Cashel, and Templemore.

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plemore; Clonmel is not in our diocese; the population of Tipperary is, I should say, somewhere about 6,000, that of Thurles about 5,000, that of Cashel between 4,000 and 5,000; the greatest population of any of those towns is about 6,000.

394. Is this law broken through or evaded to any great extent?—Very little indeed. I have had opportunities of finding out almost every individual instance of the violation of our Sunday temperance law; and such violations as came to knowledge were extremely venial, no more than a glass of beer, or something as small as that; but I must add that it is not so well observed in one town in particular. It is with great reluctance that I say anything that would not be to the credit of any one place in particular, but in the town of Tipperary it is not as scrupulously observed as it is in all the rest of the diocese; the cause of that is, that one or two persons open their houses there in defiance of our regulation; and when those houses were opened, there were people weak-minded enough to say, "Here is an opportunity; we will go and have a drink." But, generally speaking, it is very well observed indeed even in Tipperary.

395. What is the case with regard to the public-houses owned by Protestants?—I know of only two houses owned by Protestants throughout the entire diocese; there is one house in Cashel, and the owner of that house took advantage of our regulation when he found that the Catholic owners of public-houses kept their houses closed in compliance with this regulation. I dare say the good man thought it would be an opportunity for him to make some little gain, and from the very first he has kept his house open on Sundays, I must say, to the very great dissatisfaction of all the Protestants of the place, and especially the Protestant magistrates. I was informed the other day, that when in last October he sought a renewal of his license, he could not get any two Protestant magistrates to certify for him. He appealed to the barrister at the quarter sessions, who refused to renew the license, Mr. Rolleston being himself a Protestant. I am informed (I do not know whether correctly or not, but I think so) that Mr. Rolleston renewed his license only on condition that he would not continue to violate the Sunday temperance law. That is the only Protestant house throughout the diocese that I know of that was kept open against the regulation. There is another house where liquor was sometimes got, but so seldom that I do not think it worth while to speak of it.

396. Has the regulation led at all to the practice of people clubbing together and buying liquor on Saturday, for the purpose of having a carouse on the Sunday in private houses?—I think not in a single instance; scarcely anything could occur with respect to the working of the rule that I should not come to know; but in order to enforce it, in my own addresses to the people I have frequently said to them, "You have six days in the week to purchase any liquor you want; if you wish to have good cheer in your families on Sunday you had better purchase whatever you want on the Saturday, and be provided." A very common case of violation of the law was, that a friend would come and the family would have nothing to give him, and that was a venial transgression of the law; but I have often publicly said to the people what I have just now stated, that if they wished to anti-

cipate the arrival of a friend they had better buy whatever they needed the Saturday before; at the same time I generally took occasion to say that they were too fond of laying out their money at fairs and markets, and cared too little about anything like good cheer or comfort in their own houses. I have said to them, "I recommend you, instead of wasting your substance at the fair or the market, to try and have a little good cheer on Sunday with your poor wife and family at home."

397. What is your feeling with regard to the possibility of extending that law throughout Ireland by means of voluntary effort, as in the diocese of Cashel?—I dare say it would be possible by great efforts to do in other dioceses what I have done, but not by any means in all.

398. In some only?—In some only. I am perfectly sure it would be an impossibility to enforce such a regulation as that in cities or large towns.

399. You mean by voluntary association?—Yes, in Cork, Dublin, or Limerick, it would be an impossibility. If I may venture to say what would be prudent or imprudent for another to do, I think it would be most imprudent for a Catholic bishop, or a priest, or a Protestant minister, to attempt to do in those places, by merely moral means, that which we have succeeded in doing in Cashel; and for this reason, that if even half or three-quarters of the keepers of public-houses in those large cities or towns were to come in to the views of the bishop, or the priest, or Protestant minister, and to close their houses on a Sunday, so long as one-fourth of the occupiers of public-houses opened, people would go to those houses, and the violations of the law would be as many as the observances, or perhaps more numerous, and in a very short time it would lose its hold, if it ever had one, on the minds of the people, and would fall to the ground.

400. Have you considered how far it would be possible to do the same thing by law as you do in Cashel; how far it would be observed, and how far it would be agreeable to the people?—Yes, I am perfectly sure that it would be observed if the authorities were only moderately vigilant; a law of the land, enforcing such a regulation as that, would accomplish a great amount of good. It would be powerful to do what could not be accomplished by the unaided efforts of ministers of religion of any denomination, in many cases; where the voice of the minister of religion would not be heeded either by the publican or by the man given to drink, the strong arm of the law would shut the door of the public-house in spite of both the publican and the drunkard. If the secular and the ecclesiastical authorities all through the country were to go hand-in-hand, each supplementing the work of the other, they would be irresistible.

401. Then you do not think that there would be any considerable amount of violation of the law in Ireland?—I think not.

402. Not even in great towns?—Not even in great towns; that is to say, if the authorities were duly vigilant.

403. With regard to the case of travellers and other exceptional cases, would it not be more difficult to provide for them by law than by any voluntary regulation or rule like your own in Cashel?—I dare say it would; you should, I think,

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think, leave such cases in a great measure to the travellers themselves and the occupiers of the houses.

404. But there is this difficulty, that if we passed a law forbidding the sale of intoxicating liquor to any person except a person who had come seven miles, and it was left to the man himself to say whether he was a traveller, any man almost who wanted to drink would say he had travelled seven miles?—I have not turned over in my mind how an Act of Parliament could be so framed as to touch that case, but this I would say, that what is now put forward is so trifling and exceptional a case, that even if the difficulty could not easily be got over, the prevention of intemperance in all other cases is a matter of such transcendent importance that I would scarcely consider the point of any moment.

405. Is there anything else that you would now like to state?—I do not think that questions and answers could bring out so satisfactorily the circumstances connected with our Sunday temperance regulation as a regular statement of what has been done, and with your permission, I will read a statement which I have drawn up.

406. Will you kindly read it to the Committee?—“While the people of Ireland are as religious and moral as any people in the world, remarkable for attachment to the religion of their conviction, for parental and filial affection, for female chastity and conjugal fidelity—while this is so, it is but too true that, although no worse than their neighbours, they have been too much addicted to habits of intemperance. Father Mathew, it is true, wrought a wonderful change in the people. The effects of his labours survive to this day, and are felt through the entire community. Still he lived to see numbers fall off from the pledge and the practice of temperance; with himself, the strict observance of both, in good measure, passed away, and the people relapsed into their former habits of intemperance, though not to the same extent. The intemperance of the people was aggravated by the unchristian desecration of the Lord's Day and the Church's holidays. Of the seven days of the week the Sunday or the holiday would be selected for indulging in the greatest excess. People would go straightway from the House of God to the public-house, spend the day there in carousals, oftentimes protract those carousals far into the night. Sometimes, too, all would end in very disgraceful scenes in the street or the highway, in drunken brawls, and riots, and blasphemies, not unfrequently in bloodshed. It grieved me to witness or know of such scenes. I felt that he would be a real benefactor to the people, who, like Father Mathew, would help to wean them from such habits of intemperance and their consequent evils, by propagating temperance among them, and, as far as possible, making it a public virtue. Deeply impressed with this conviction, almost from the first day I became a bishop, I gave myself in a special manner to the work of propagating temperance throughout the diocese committed to my care; and my efforts were crowned with success, thanks, under the Divine blessing, to the co-operation of a zealous clergy, who entered heart and soul into my views; thanks also to the people themselves, who hearkened with child-like docility to the voice of their pastor, even when it demanded at their hands self-denial and the sacrifice of a gainful trade. In describing

what has been done, it is impossible to avoid alluding to my own share in the work, and that, I hope, will be an excuse for speaking of myself at all. I tried all the ways and means that seemed to me to be *practical*, both for the reclamation of individuals and for that of the bulk and body of the people. As I went the round of the diocese from parish to parish performing the duty of visitation, seldom, if ever, did I omit to make temperance a subject of exhortation; and I followed up exhortation with the practical work of administering a pledge, sometimes to individuals, generally to large groups of persons gathered around the Sanctuary rail. The pledge was, not to get drunk at any time, and not to drink in a public-house on Sunday. In every parish I sought out, and generally found, persons of intemperate habits, the confirmed drunkard, the habitual tipler, who would seldom or never go to fair or market without wasting his substance in the public-house, the young man just entering on the road to ruin; and I dealt with all according to the nature of the case. I often, too, gave a pledge to females, though not standing in need of it themselves, but because they wished to encourage the men of the family, a father, or a brother, or a husband, to take it and keep it. Thus, in a short time there was a good number of individuals in every parish of the diocese pledged to temperance in one form or another. Even that much was a great gain to public morality. But as the work went on my views became larger. Though the persons pledged for the most part kept their pledges faithfully, yet if any were weak-minded enough to think of breaking it they had the opportunity; the public-houses were open, and the opportunity was a temptation. Then, again, even if all kept their pledges, they were but so many individuals, and it was most desirable to reach the whole community, to bring the whole community under the wholesome discipline of temperance. But how was that to be done? how reach the whole community? Obviously by some rule or regulation of a large and comprehensive nature, that would take in every individual of the community, pledged and unpledged, and to which all would submit as to an authoritative rule of conduct. That was a regulation or law made by the bishop, prohibiting all who recognised his authority to purchase anything spirituous in ever so small a quantity, except in case of necessity. But that was not enough. If there should still be sellers there might be buyers; it was, therefore, necessary to stop the supplies, to shut up the public-house on Sunday; and so I published the regulation called with us ‘The Sunday Temperance Law,’ now for seven or eight years in force in the diocese committed to my care. The temperance law is this: ‘Whoever, unless in case of necessity, of which the clergy in their respective parishes are the judges, buys or sells anything spirituous on a Sunday, in a licensed or unlicensed house, is thereby deprived of the use of the sacraments, by the withdrawal of faculties from the clergy until the person transgressing presents himself or herself to the bishop of the diocese.’ Such is our Sunday temperance law. But it must be added that travellers are exempt, and that the law does not extend to the church's holidays, because public fairs are held on some of them; on which account it would be extremely difficult to enforce the law on those days. It would be most desirable to transfer those fairs to other days.

“What are the means by which we have been enabled

enabled to enforce this Sunday temperance law? They are, the authority of the bishop, the co-operation of the clergy, the influence of religion, the people's respect for the ordinances of their church, their reverence for their clergy, their obedience to the word of their bishop; these are the means by which we have enforced the law, which is as well observed as any law of Church or State within the realm; scrupulously and willingly observed by those on whom it imposes the restraint of appetite, and those of whom it requires the sacrifice of a gainful trade. It is wonderful how the people observe it. I ascribe the exact observance of the law in some part, under the Divine blessing, to the constant vigilance with which myself and the clergy have watched over it, although it cost no small amount of care and trouble to do so. Every one transgressing the law had to come to me, even from the most distant parts of the diocese. I gave a personal interview to every one so sent, thinking it worth while to do so, both for the sake of upholding the law, and because that might be the only occasion when the bishop and that member of his flock would meet, and the bishop have the opportunity to say the good word to him, and make a little mission on him. As the interview had nothing of the nature of sacramental confession, I invariably induced the person to tell me in what public-house he had got liquor; and so, when any publican was beginning to take liberties with the Sunday temperance law, by selling, I found it out *in limine*, and immediately communicated with one of the priests of the parish, directing him to stop the publican at once, by calling upon him, and remonstrating with him. Holding the visitation, too, in every parish of the diocese, in presence of the assembled people, I inquired of the parish priest whether any publican or other person habitually sold liquor, in violation of the Sunday temperance law; and so discovered every transgressor, and brought him to order. These are the means by which the Sunday temperance law has been enforced in the archdiocese of Cashel and Emly."

407. Mr. Dawson.] May I ask you, my lord, what is the extent of your diocese with regard to population?—I could not answer the question with anything like exactness, but you may form some idea of the two dioceses of Cashel and Emly from this, that if you take it one way it is from 40 to 50 miles in extent, while, taken in another way, it is from 30 to 40 miles in extent.

408. Are there any other dioceses in Ireland which are similarly circumstanced with regard to the absence of large towns?—Yes, I am sure there are.

409. When you first made this Sunday temperance law, had you to make many examples of different people, for infringements of the law?—I have never publicly adverted to the name of any person transgressing this law, except on one occasion, though, certainly, on a few other occasions, in making visitations, I have inquired of the parish priest whether there was any publican in his parish who habitually kept his house open on a Sunday, and it sometimes happened that there were a few such persons in the congregation, perhaps two or three; and I generally found them out by saying, "All those persons who have violated the Sunday temperance law by drinking, will come together in this part of the chapel." Then they all came at once, and when I had got them altogether, I would say, "If

there is any one among you who has violated the Sunday temperance law by selling liquor, let him put up his hand." The men did so at once, and in that way I found them out. They are really so submissive to anything that the bishop or priest says, and especially the bishop, that you can manage them without difficulty. But it never happened to me to speak of any one person's name, publicly, throughout the whole of the diocese, except once. I should wish to add a few words with respect to the effects of this temperance law: the effects are most happy. Instead of the drunken brawls we used to have in our towns before it came into operation, the carousals by day, and the drunken orgies by night, you have now closed shops on Sunday, and quiet streets; the places of worship are full on Sunday, and the public-houses empty. Any person walking through any of our towns, which used formerly be the scenes of most disgraceful and unchristian brawls, would now feel that Sunday was really the Lord's Day; such is the quiet that reigns in our towns, and rarely is a man ever seen drunk on the Sunday. Were I to look for a corroboration of what I am now saying, I might produce, as witnesses, every man, woman, and child, within the borders of the diocese of which I have charge. For, every one is cognisant of what I am now stating, and every person of every religious persuasion feels happier on account of the great moral change that has taken place in the people. I might also appeal to the returns of the various bridewells throughout the diocese of the committals for drunkenness, which, if they were accurately examined, would present what I would call a decreasing series year after year, marking a corresponding decrease in the amount of drunkenness.

410. How many years has the law now been in operation?—I have stated that I introduced it by degrees during a couple of years, and that then I made it general over the diocese since the year 1861. I have in my hand here, not a fully tabulated return of the committals for drunkenness during the years for which this law has been in operation, but yet a return which is sufficient to show that there has been a gradual decrease in the number of the committals for drunkenness, indicating a corresponding decrease in drunkenness itself. The return is a return of the total committals for drunkenness in the bridewells of Tipperary, Cashel, Thurles, New Birmingham, and Templemore for the years 1860 and 1866, as compared one with the other. In the year 1860 the committals for drunkenness in the town of Tipperary on Sunday were 791, while in the year 1866 they were 323 only, showing a decrease of 468. In Cashel the committals for drunkenness in 1860 were 453, while in 1866 they were 234, showing a decrease of 219. In Thurles the committals for drunkenness in 1860 were 230, while in 1866 they were 141, showing a decrease of 91. In New Birmingham the committals for 1860 were 58, while in 1866 they were only 28, showing a decrease there of 30. In Templemore the committals for 1860 were 133; in 1866 they were 82, showing a decrease of 51. All the figures I have given relate to committals for the Sunday only. I have another distinct return from the bridewell-keeper of Cashel, who from the very first paid great attention to the working of this Sunday temperance law, and has had an

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opportunity of doing so on account of observing the number of committals for drunkenness that he had every Sunday morning. I wish to state that he was in the bridewell of New Birmingham when first this regulation of ours was introduced; and that for the last three or four years he has been in Cashel. New Birmingham is the centre of a large area of many square miles in extent, the inhabitants of which were certainly remarkable for their habits of intemperance up to the time when this regulation was introduced. It is within the colliery district, and the poor colliers were very much addicted to habits of intemperance. This man told me that on every Monday morning he would have not less than 20 men at least who had been taken up the night before for being drunk, with sometimes the addition of cut heads and torn clothes; but he told me that after the introduction of the Sunday temperance law, things were altered altogether, and that those people became remarkable for their temperate habits as well as all the people around, and that he went so far as to say that he would be for three months without a committal for drunkenness, whereas he used to have 20 on every Monday.

411. Mr. *Chichester Fortescue*.] You are speaking only of the Sunday at the present time?—Only of the Sunday, and the Monday morning coming immediately after the Sunday.

412. Mr. *Dawson*.] The whole of those statistics refer, in fact, to the Sunday committals only?—Yes; he gave me the return, which I have in my hand, for Cashel, where he now is in the capacity of bridewell-keeper. The committals are for 1858 and 1867, that is to say, for all the Sundays in the year; and the same is true of the other returns which I have read out.

413. Mr. *Murphy*.] They are the aggregate of the year?—Yes; for 1858 the number was 522, and for 1867, 184, showing a decrease of 338. He gave me another distinct return for Cashel for 1867, as compared with 1866, and says that the committals were 50 less in 1867 than they were in 1866?—These returns make out very clearly that from the first introduction of the Sunday temperance law, there has been a decreasing series in the number of committals for drunkenness, and of course in the actual cases of drunkenness.

414. Mr. *Dawson*.] Has the rate of wages been increasing in that diocese?—Yes; a few years ago the working man would be very glad to get 6d. or 7d. a day, but now he may get 1s. 6d. or 2s. a day, according to the time of year, though there is by no means constant work.

415. What is the rate of wages for constant work?—I could not exactly say, but I should suppose that a man in constant work would be very glad to get 1s. a day all through the year.

416. Mr. *Chichester Fortescue*.] Does an ordinary labourer get more than 1s. a day at harvest time?—I have often had to pay wages myself, and for years I have never paid so little as 1s. a day to a man who was working for me at any time of the year.

417. Mr. *Pollard-Urquhart*.] But of course a labourer would be glad to come for 6s. a week, if he was promised work all the year round, would he not?—Yes, if you employed him all the year round.

418. Mr. *Leader*.] It appears from that return that drunkenness on Sundays has diminished by

half, which shows a considerable amount of drunkenness remaining still on Sunday?—It is not considerable, if you take into account the fact that the return is for the whole year: if you divide that number of cases by 52, which is the number of Sundays in the year, it will give you very few cases for each Sunday.

419. Still the proportions are a little less than half what they used to be?—Were the amount of Sunday drunkenness only half what it was before the Sunday temperance law came into operation, I should say that that would be a matter of considerable moment; but the working of the Sunday temperance law is not confined to the number of persons who get drunk, but it extends to the absence of the disgraceful scenes which used to take place on Sunday; if a man gets drunk now he does so in private, and you do not see those exhibitions that we used to witness before in our streets; you seldom or never see a man drunk in the street now; and you have not the same desecration of the Sunday that you used to have.

420. I suppose other bishops in Ireland have communicated with you on the subject?—Yes; we have spoken together on the subject sometimes.

421. Can you give me any reason why they have not adopted the system which you have adopted in Cashel?—You may assume, I think, that what we have done was attended with a great deal of trouble; it required constant vigilance and exertion. If I could speak for my brother bishops, I think I should be pretty right in saying that their reason for not adopting the same plan was, that they were afraid it might prove a failure; and it is undoubtedly better not to attempt such a thing at all, unless it can be made to succeed; it was with me a kind of tentative process, as I passed (or in passing) from one parish to another, until I became sure from my experience of its working, that I could enforce the observance of the law throughout the whole diocese, and the event has proved that I was right in my calculation. I feel pretty sure that the reason why the other bishops have not done the same thing has been, that they apprehended the experiment might not succeed, or that if it succeeded for a short time, it could not be upheld; that, I suppose, was the reason why not more than two or three have made a similar attempt.

422. Do you think that if an Act of Parliament were passed to a similar effect, that that could be enforced by the secular authorities?—I think it would not cost any great difficulty to enforce it, if the authorities were at all vigilant; of course if they neglected their duty, there would be many breaches of the law, but I think such an Act of Parliament would be a great boon to the country.

423. Do you think that it could be carried out in large towns like Cork?—I am perfectly sure it could, if the authorities were only vigilant.

424. Have you ever inquired into the effect in Scotland of the law for closing public-houses on Sunday?—I have seen it stated (it has been stated to me in letters) that the closing of the public-houses in Scotland has led to even an increase of drunkenness, from people providing themselves with liquor beforehand, and then getting drunk in their own houses; but I think that there is a very great difference between the character of the Scotchman and the character of the Irishman. I do not venture to say on which side

side the advantage lies, but I think there is this difference between them, that the Irishman is of much more social habits than the Scotchman, and is little inclined to excess, except when he meets a friend to give him, or to get, a treat. I have often spoken to countrymen and to townsmen, who have violated this Sunday law of ours, and have asked them, "Why do you not have a little good cheer in your own house? how is it that it is only when you go out to the fair and the market that you get drunk?" and the answer was that he would not care about drinking at all in his own house; that he has never in his life sat down to drink in his own house, and yet such men may get drunk every day when they go to the fairs or the markets; that is owing to the proverbial hospitality of the Irish character, and I believe that is not the character of the Scotchman, though I do not presume to say which is the better type of character.

425. With regard to the Irish population in Glasgow, which you know is very extensive, have you heard anything of the effect of the Forbes-Mackenzie Law on the morals of the inhabitants of that city?—No, it has never happened to me to hear anything about that.

426. Mr. *Stacpoole*.] Would it be your opinion that the licensing of public-houses should be regulated at all with regard to the number already existing in the place?—I think there are more public-houses in towns than there need be; if there is any mistake at all, it is that too many licenses are granted, although the magistrates are very circumspect; they are, perhaps, a little more indulgent than they ought to be.

427. Mr. *Pollard-Urquhart*.] Were you acquainted with Ireland previously to the year 1833, when the first Act was passed, allowing public-houses to be opened for any part of Sunday?—Yes.

428. Do you think, on the whole, that since 1833, there has been more drunkenness on Sunday afternoons?—I do not think that the Act which was passed closing public-houses up to two o'clock had any appreciable effect on the absolute amount of drinking and drunkenness in Ireland.

429. But previously to that, your public-houses were closed on the whole of Sunday, were they not?—I am not aware. I do not think they were ever closed for the whole of Sunday; but what I do think is, that if you close public-houses on Sunday, leaving them open from two o'clock to four or six o'clock, the same excesses and the same disorders, which I have attempted to describe, would still ensue.

430. But do you not think very great disorders used to ensue previously to 1833?—Yes, and since also. I do not think that the closing of public-houses only for certain hours in the day would have any appreciable effect.

431. Might not a difference arise from this; that in one place the closing on Sunday would be done by an Act of Parliament, and in the other it is the result of voluntary association?—Not at all; I certainly do not think so.

432. Do you think that the rule of abstinence would be as well observed in obedience to an Act of Parliament, as it is when it is done in obedience to a law imposed by the clergy of the people?—Much better, because if you had an Act of Parliament you would then have the law working in concert with the clergy. If we have done good by our unaided efforts, why should
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we not be able to do more good when we were helped by the law.

433. But you are aware that there are districts in which the religions of the people would be more mixed than in Cashel?—Yes; that is a reason why such an Act of Parliament would be most useful, because although we have been able to do this in our part of the country, yet the influence of the catholic bishops or priests might not in other parts of Ireland be of the same effect; therefore you want something else, and that something else is an Act of Parliament.

434. What should you say of large towns like Dublin and Belfast?—You could not do anything like what we have done—in Dublin, for instance; nothing could arrest intemperance in large towns but an Act of Parliament.

435. If the clergy of other denominations were to co-operate, do you think such results as you have arrived at in Cashel could be arrived at in Dublin, for instance; by voluntary association?—I do not think it would be possible without an Act of Parliament.

436. But if the clergy worked unanimously, and there were an Act of Parliament, you think that that Act of Parliament would, on the whole, be properly obeyed?—Certainly, if there was only a moderate amount of vigilance on the part of the authorities; it would be the duty of the police to enforce the observance of the Act.

437. A former witness, when he was asked with regard to the possibility of making an exception in favour of travellers, said he thought it might be done by means of the constabulary giving a certificate to the person who said that he was a traveller, if they were satisfied that he really was one; should you think such a regulation could be worked without being shirked or abused?—The police are very exact, as far as I can see, in the discharge of their duties. To do them common justice, I must say they are men of high moral principle, and in every way an admirable body; I should have no fear whatever of the result of committing to them to-morrow the performance of such a duty as you suggest.

438. Lord *Claud Hamilton*.] You stated that among other salutary effects of this Sunday trading law, the places of worship were full, the whisky places empty, and the shops shut; by that did you mean to convey to the Committee that the practice of Sunday trading had been in existence in your district?—There is no such thing with us; it is altogether at an end.

439. Was there such a thing before this Sunday trading law came into existence?—Yes.

440. And Sunday trading has now ceased?—It has ceased wholly.

441. And that you think a great public benefit?—I consider it a great public benefit.

442. You would have had opportunities of knowing whether, what has often been suggested has truth in it, namely, that when public-houses are closed on Sunday, the practice of drinking in private houses necessarily increases; have you any belief that that is the case in your diocese on Sundays?—It has not at all increased, and for the simple reason I gave a while ago, namely, that the Irish people are not in the habit of drinking at home, so that in fact there has been no increase of intemperance in private houses in consequence of the closing of the public-houses on Sunday.

443. You think there is no evidence to show that there is in some cases a store of whisky put
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by on Saturday for use on the Sunday?—None, and the fact could be easily traced if it were so. I have never met an instance of it in the operation of the Sunday temperance law; on the contrary, I have often and often, as I have already stated, said to the people publicly in the chapels, "I wish you would lay in your liquor on Saturday; you have six days in the week for obtaining what you want; lay it in on Saturday and have it on Sunday, so that if a friend comes to see you you may be prepared for it." It is usually the looking in of a friend that is the cause of any violation of the Sunday temperance law, when it occurs. I ask everyone who violates the law, "Why do you violate it?" and the answer is, "my friend," or "my brother," or "my uncle," or somebody else, "came to me unexpectedly, and I had nothing in the house to give him for a treat."

444. Your experience decidedly goes to show that the suggested danger of increasing habits of intoxication on Sunday at home is quite illusory?—Quite illusory as far as regards Ireland; there is not a shadow of a reason for anticipating any such thing.

445. Mr. Pim.] I think you have shown positively that drunkenness has very much diminished on Sunday in your diocese; can you, my Lord, add that it has been diminished on the other days of the week?—Yes, I am quite sure that the Sunday temperance law not only enforces the observance of temperance on Sundays, but it has had a large effect on the morals of the people; it has had the effect of making sobriety a public virtue on the other six days of the week as well as on the Sunday; it has induced habits of temperance among the people for every day of the week.

446. I take it that there is a corresponding diminution of crime too?—There is a very great corresponding diminution of crime; everybody who knows the habits of the people knows that a great part of whatever criminality can be fairly charged on our people, is traceable to drunkenness. I would say that three-fourths of the crimes they commit are committed under the influence of liquor. If you correct habits of intemperance, you do a good deal towards diminishing also crime of every kind in the country; if such people are addicted to intemperance, you cannot do much good with them. A man of intemperate habits is insensible to what his clergyman says, but wean him from those habits, and you may get them to do whatever you please. It is of the greatest consequence with regard to the public morality of the country to do whatever can be done to put a stop to intemperance.

447. Can you state what the publicans now think of the Sunday Temperance Law; whether they are better pleased with the restriction, or whether you think any of them would like to return to the old state of affairs?—The great mass of them are perfectly willing to make a sacrifice of what is to them rather a gainful trade: they are satisfied with the new state of things.

448. You stated that the trade in drinks on Sunday was at an end; was there, before this law was introduced, any trading in other branches of business, such as grocery and ironmongery?—There is no such thing in our diocese.

449. But was there before you began to apply this Sunday temperance law?—No; scarcely anything was sold in our towns but what you might eat and drink; perhaps something else

which might be necessary, but I cannot say what.

450. You are aware that the Bill as it was brought into the House of Commons, does not propose the total closing of public-houses on a Sunday; it proposes, on the contrary, that the public-houses should be allowed to be kept open for two hours in the afternoon of Sunday, and one hour in the evening; do you think it would be better if the Act were to enforce the total closing of public-houses on Sunday?—I think the Bill would be in a great measure inoperative for producing any good if it remained as it now stands; my firm conviction is, nothing but closing public-houses for the whole of Sunday would be of much benefit.

451. Do you think that people would consider the total closing of public-houses on Sunday an undue restriction on their general liberty?—By no means.

452. Of course in that last reply of yours you principally refer to the opinions and feelings of people in the country, but would you say the same with regard to the large towns; might not the people in large towns consider such a law tyrannical?—I cannot say that I am acquainted, and indeed I am not acquainted, with the feelings of the people in large towns, such as Dublin and Cork; but judging of the people of those places from my knowledge of the people in the interior of the country, and I do not think there is any difference with regard to their moral qualities, or at all events, not much difference, I think I may say that although some persons might at first grumble a little, yet, after a while, when they were accustomed to the working of such an Act, all complaints would cease; as soon as ever they saw the beneficial effect of it they would be satisfied.

453. You stated that you did not think people would be likely to purchase drink beforehand for the purpose of carousing on Sunday?—I am perfectly sure they would not.

454. But even supposing they did so, would it not still be a great advantage to the persons employed in public-houses to have a day of rest to themselves?—Yes, surely it would; and even if a man were to purchase drink on the Saturday, in order to indulge in excess on the Sunday within his own doors, I think that drinking to excess at home is not worse than drinking to excess abroad; the person who goes into a public-house and drinks with the companions of his cups, is open to a great many inducements to indulge in excess, from which a man in his own house would be perfectly free; there is the influence of the family, of the virtuous wife or daughter; they would restrain him and say the good word; whereas the companionship, and everything he sees at the public-house, is a temptation to further indulgence. Although it might happen, which I do not, however, believe, that people would lay up liquor on Saturday for Sunday excess, I do not think that that would be at all so great an evil as indulgence in excess abroad, and in the public-house.

455. Sir Graham Montgomery.] I merely wish to ask your Grace whether the legislation against intemperance on Sunday in your diocese extends to the sale of liquors in eating-houses?—In all houses, even to the hotels; but if any one is stopping in an hotel it is his home for the day, and he can get anything he requires just as if he were a member of the family.

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456. Mr. *Murphy*.] You stated that, in your Grace's opinion, nothing but the total closing of public-houses on Sunday would be effectual for carrying out the object that almost every one of us has in view in relation to this question?—That is my profound conviction. I have had much experience in the working of this temperance law, and I think I am warranted by that experience in expressing a very decided opinion on the subject. Sure I am that nothing but the total closing of public-houses on Sunday would be attended with much benefit.

457. From that answer may I presume, having regard to the provisions of the Bill now before the House, which permits intoxicating liquors to be sold on the premises, but which provides that it shall not be consumed on the premises, that you would be of opinion that such a state of things would not carry out the object which your Grace would have in contemplation?—Decidedly not.

458. Has your Grace considered what the effect of permitting liquor to be sold on the premises, accompanied by a prohibition of its consumption on the premises, would have in large towns and cities?—I have not given much consideration to that point, but I should be very much afraid of such a permission; that is to say, I should be afraid that it would not have much effect in preventing intemperance.

459. Would it appear on reflection to your Grace a not improbable state of things that if the prohibition to consume these liquors on the premises were persevered in, you might in all probability, and particularly in large cities, have a practice spring up of men clubbing together, sending in to the public-houses, and buying the liquor, and resorting to some other place in the immediate neighbourhood of the public-house for the purpose of consuming it, that is to say, for those who *will* have drink?—I think that is natural to anticipate.

460. Under such a state of facts would it be your Grace's opinion that if the privilege of buying the liquor were continued as proposed by this Bill, it would be more advisable for public morals and prevention of excesses, that the parties who were so permitted to purchase the liquor should not be prevented from consuming the liquor on the premises of the owner who would have a license and be accountable for the conduct of the people in his house, into which the police would have a perfect right to enter at any time; do you think that would be a better state of things than that which might arise if the liquor were allowed to be bought but not consumed on the premises, when the people who bought it might resort to houses where they would be under no supervision for the purpose of drinking?—I should say that it would be impossible to carry out the idea of the police exercising such a constant supervision as your question points to; you cannot make people drink by measure or by Act of Parliament; in order that the police should carry out effectually such a supervision, there should be a policeman in every public-house, and that policeman should stay there the whole day; I need not say that for such a purpose as that you would require a very large body of police indeed.

461. But what I wanted to ask of your Grace is this; do you or do you not think that excess would be more likely to be prevented if the persons who were consuming the liquor were

aware that they were liable to police supervision at any moment, rather than if they were shut up in a house in which they knew they were not liable to police supervision?—I do not think that a comparison of the two cases arises at all, because if people might purchase the liquor and consume it on the premises, they might also congregate together, and then you would have the two evils together.

462. But do you not think that parties would be much less likely to commit excess when they know they might be watched over at any moment than when they were congregated together in a place where no person had permission to enter?—I suppose the knowledge you speak of might have some little effect in restraining them, but for the working of such an Act of Parliament I would give very little indeed.

463. In fact your Grace's opinion is this, that if the public-houses are to be kept open at all no practical effect would be produced by this proposed change in the law, so far as preventing abuse in drinking on Sunday goes, supposing the liquors are permitted to be sold at all?—I think every measure, short of the total closing of public-houses on Sunday, would be altogether inefficacious, or at least in a great measure inefficacious.

464. Bearing that in mind, and taking it practically, that the operation of this Bill would not tend to prevent abuse (which of course is the object), would you conceive that under that state of things considerable hardships might be inflicted upon those who have embarked capital in these houses, and who would be prevented from selling liquors on the Sunday, or restricted in the sale of liquors on the Sunday, while the Bill which inflicted this hardship would do no good whatever in arresting intemperance?—Of course the Bill would affect their trade, but they must be prepared to make a sacrifice, for a sacrifice there would be to some extent.

465. Major *Gavin*.] Does your Grace know whether, in your district, there is such a thing as a shebeen house?—I have now and then come to know that there are a few, but they are very few indeed, because I ask every one who is sent to me for having violated the Sunday Temperance Law, "Where did you get the liquor?" and the reply, of course, is in such and such a house; then I ask whether it was licensed or unlicensed, and if it was a shebeen, the fact comes out. I have come to the knowledge, I should say, of not more than three or four of such houses throughout the diocese, certainly, of not more than half a dozen.

466. Your Grace has not found that since the total closing of public-houses on Sunday, these shebeen houses have increased?—They have not; there were just as many before as there are now. I am quite sure of that.

467. Has your Grace ever heard whether such things, as dancing-houses, exist in your diocese?—Very few indeed.

468. Has your Grace ever heard that drinking goes on at any of those dancing-houses?—I have found two or three instances of the kind within the last six or seven years.

469. And there has been no increase of those dancing-houses since you first made your prohibition?—No, indeed; that is owing to the vigilance of the clergy, for they know that they are very bad things, and so strict are they in the prevention of them that they almost invariably

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subject the person, who goes to a dancing-house, to the painful necessity of making a journey all the way to the bishop, which may be 20 or 30 miles; that is by way of punishment for having gone to these places, and with a view, of course, to getting them shut up.

470. *Chairman.*] It was pointed out with regard to the returns of committals for drunkenness on Sundays, which you have quoted, that it appeared there were still cases of the kind on Sundays; is it not the fact that many men who get drunk on the Saturday night might be arrested on the Sunday, so that the number of arrests on the Sunday would not actually prove that the cases of drunkenness took place on the Sunday?—I suppose that some of the arrests made on Sunday for drunkenness are the arrests of persons who got drunk on the Saturday.

471. A question has been asked with regard to the injury which might accrue to persons who have invested their capital in public-houses; can you state whether the owners of similar houses generally in Tipperary are less prosperous than they used to be, since the introduction of your Sunday temperance law?—No, indeed; of course they have had to make a sacrifice of some gain; but upon the whole, they do not feel it, and they do not complain of it; they see that the good accomplished is so great, that whatever the sacrifice is, they are perfectly willing to submit to it for the public good.

472. But you have not heard of publicans in Tipperary being ruined on an extensive scale?—Never. I know of no instance of anybody's condition being made sensibly worse by the restriction.

473. *Mr. Chichester Fortescue.*] I suppose your Grace would say that if the closing of public-houses on Sunday were to lead to any extensive practice of drinking by parties of men in private houses, entirely removed from the inspection and control of the police, that would be a bad consequence of the Bill?—I do not think even that would be so bad as getting drunk abroad, for the reasons I have already stated.

474. Would it not be in effect evading the law under which public-houses are now licensed and now controlled?—An evasion it would be; but even that evil is not at all comparable in magnitude to the evil of getting drunk out of one's own house abroad or in the public-house. Sure I am that the amount of excess committed in people's own houses, if public-houses were shut, would not at all equal what it is where the public-houses are left open; there is, as I have already said, the influence of the wife and daughter at home, while there are no such restraining influences in the public-house.

475. I do not speak of what may be called domestic drinking, but of drinking carried on by a party of persons who may get together in private. Suppose that result were to follow to any considerable extent, would it not be a very unfortunate consequence?—I should not be afraid that that would form an evil of any great magnitude, or an evil that could not be controlled by the authorities.

476. Under our present law the authorities could take no notice of that kind of drinking, because it would be withdrawn from the observation and power of the police, would not that be so?—I should say that it would be very well if it were possible to introduce into the Bill

some clause to prevent drinking clubs, such as you speak of.

477. Since the introduction of this regulation in your diocese, has there been a perceptible difference in the appearance of the towns and villages on Sunday?—Yes, a most important difference.

478. How do the people appear to pass the day?—In perfect quietude; anyone would feel now that it was the Lord's day; whereas formerly there was nothing but disorder, drunken brawls, and blasphemy.

479. Do the people appear to pass the day more in the open air than they did formerly?—Yes, they walk about, and go to church.

480. Supposing, then, for a moment, that such an Act, as it is now proposed to pass, were to be made permissive with regard to its introduction into any particular district, so that it could be only made operative in any town or parish by the votes of the majority of that town or parish, would you have any doubt with regard to the course which the majority of the ratepayers in your own diocese would take?—I should have scarcely any doubt; if the introduction of the law were merely permissive it would never be introduced anywhere; nothing but a compulsory law would do.

481. You think that the majority of the ratepayers in the towns and parishes of your diocese would vote against the introduction of such a law?—I do.

482. *Mr. Pollard-Urquhart.*] Does your Grace think that the rule might be so far relaxed as to permit beer to be sold on Sunday to be drunk away from the premises?—I should be afraid of opening the public-houses on Sunday; I am altogether opposed to any relaxation.

483. Do you not think that the use of beer is a species of conviviality which might not be likely to lead to much mischief?—I know it would not be so bad as to permit the purchase and drinking of whisky, because the latter inflames people's passions.

484. People could not very well lay in on Saturday the beer they wanted on Sunday, could they, because the beer would spoil by keeping?—No doubt.

485. Would it, in your opinion, be wise to make a relaxation so far as to enable beer to be sold on Sunday to be drunk at home, or do you think it would be possible to enforce a rule like that without abuse?—If permission were given to buy and sell beer, people would buy and sell whisky.

486. *Mr. O'Neill.*] Does your Grace think that if the closing of public-houses on Sunday were to become the law of the land, your clergy, with the help of the police, would be able to put down the shebeen drinking?—Certainly; we are able to do it as it is, and of course we should be better able to do it with the help of the law of the land.

487. With regard to other dioceses in Ireland, if the clergy used the same influence as is used in your own diocese, you think intemperance could be put down in the same way?—Yes, with the assistance of the law of the land.

488. *Mr. Chichester Fortescue.*] Will you allow me to ask you this question: considering the perfect success which has attended your efforts to establish this regulation in your diocese, why do you anticipate that the majority of the ratepayers, if it were left to them to decide upon the introduction

introduction of the law, would be sure to vote against it?—It is very easy to say why; the people of the country will willingly submit to the influence, and much more the authority, of their religion and their bishop than they would to a mere law of the land.

489. But would not the influence of the bishops and clergy be brought to bear upon the ratepayers to induce them to vote for the introduction of the law?—No; I think the people would be jealous enough of that. If a bishop comes forward and does the thing on his own responsibility, entirely of himself, the people will acquiesce in any rule of conduct that he makes; but if he comes forward simply as the helper of the law of the land, they will be to a degree jealous, I should say.

490. But supposing the case to arise in your diocese, the only question for the ratepayers would be this: shall we make that a law of the land which is already a law voluntarily submitted to by ourselves?—That would be only in my diocese, for the thing is already done there; but in all the rest of Ireland, except two or three dioceses, you would have to address yourself to the work from the beginning.

491. Lord *Claud Hamilton*.] I understand you to attribute the success of your regulation to your having introduced it by degrees; did I correctly understand your evidence?—No, it is not to that I ascribe the success of it; but I stated that not being quite sure that I should be able to enforce the law, I proceeded tentatively and felt my way: still, it was not to that that I ascribed the success of the movement.

492. Mr. *Cubitt*.] You said that with regard to this law of yours, you had the support of the magistrates and others, who are members of different communions?—Yes; they have publicly expressed sympathy with, and approval of, this temperance law; and whenever it may lie in their

path, in the exercise of their magisterial authority, they sustain it.

493. In your part of Ireland, opinion is more unanimous in favour of Sunday closing than in other parts of Ireland?—Public opinion is undivided, without any distinction of religion, in my part of Ireland. Protestant gentlemen think as much of the rule as Roman Catholic gentlemen, and are as anxious to uphold it, and as publicly avow their conviction of its usefulness.

494. Mr. *Pim*.] You stated that nothing but the total closing of public-houses on Sunday would be effectual; now supposing that instead of the total closing of public-houses on Sunday, they were prevented from being open after five in the afternoon, do you not think that a considerable advantage would be gained by the removal of temptation in the evening of the day; the whole of the evening being thus secured as a period of rest for the persons employed in public-houses?—Do I understand you to speak of the closing of public-houses after five o'clock, but leaving them open during the previous part of the day?

495. From two o'clock till five, being shut during the previous part of the day. Would you on that supposition in any degree qualify your previous answer, to the effect that nothing but total closing of the public-houses on Sunday would, in your opinion, be effectual; do you not think that some benefit would result from such a degree of restriction as I have spoken of?—The short time in which people would have to drink and get drunk might sensibly affect the total amount of excess committed, but I do not think it would so far affect the amount of excess committed, but that very great evil would still remain untouched by such an Act of Parliament. It might diminish to some extent the total amount of excess on Sunday, but it would still leave such an amount of intemperance that I think such an Act of Parliament would prove to a great degree ineffectual as a means for preventing drunkenness.

Mr. JAMES SULLIVAN, called in; and Examined.

496. *Chairman*.] WILL you inform the Committee what you are?—I am a Silk Weaver by trade.

497. And foreman to Messrs. Pim Brothers, are you not?—Yes.

498. How long have you been an operative workman yourself in Dublin?—For 27 years.

499. I suppose you are pretty well acquainted with the feelings and customs of the people of which you have raised yourself to be one of the heads?—Yes.

500. Are you a teetotalter?—No.

501. What is your opinion with regard to the desirableness or undesirableness of closing public-houses on the Sunday?—I believe it would effect a great deal of good. I have had the management of a number of men for the last 17 years, and scarcely a Monday passes but a number of them are absent from their work, and sometimes they are absent the following day too; indeed it often occurs for the entire week; the drinking in public-houses with these men generally commencing on the Saturday evening, and I believe if they had not the opportunity of returning to it on the Sunday they would settle down steadily to their work on the Monday morning, but if they get drunk on the Sunday night they are not able to work on the following day; then they

have the public-houses to return to again, and on the next day, and sometimes for the whole of the week.

502. Major *Gavin*.] As long as the money lasts, in fact?—Yes, or as long as the credit lasts; that, of course, leaves their families destitute or in want.

503. *Chairman*.] Of course there are some sober, steady men, who will not drink whether the public-houses are open or not?—Many.

504. And there are some determined drunkards?—There are some, but that class are the fewest in number.

505. Supposing the public-houses were closed, what do you think would be the result with regard to determined drunkards; do you think they would lay in a stock of drink on the Saturday?—I think not.

506. Is there not a large class of people who are not determined drinkers, and who do not particularly want drink, but who, if the public-house is open, are not strong enough to resist the temptation which is presented to them?—There are a large number of people who would not go into a public-house under any circumstances, and there are others who would not go in at all, only that perhaps they meet a friend who induces them to go in and have a glass of beer or something else;

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and then there is another glass and so on, till they all get intoxicated. I feel that if the temptations were not put in their way those men would not drink.

507. What is your opinion of the wishes, generally, of working men in Dublin; do you think they would rather the public-houses were shut or open?—I believe that the general opinion on the matter is that to shut them up would be a sort of class legislation; still I think that if the public-houses were shut up that feeling would pass away, and that the working classes would be perfectly satisfied after a time.

508. Do you think that the working men want the public-houses open on Sunday, in order that they may obtain drink for their meals; do they generally take beer with their meals?—Yes; generally on Sunday at dinner.

509. What would they do if the public-houses were shut on Sunday?—They could provide themselves on Saturday with half a dozen bottles of porter if they wish it.

510. You do not think that they would find that inconvenient?—No, I should think not.

511. You say that they generally take beer with their dinner on Sunday; do they want it again for supper on Sunday?—It is not customary to take suppers in Dublin.

512. In your opinion is drinking increasing, or diminishing, among the working men of Dublin?—I think it is increasing.

513. What makes you think so?—It is my own observation from my youth. I think there is a vast difference between what there was 20 or 30 years ago, and what there is now; it was then a rare thing to see boys frequenting public-houses, and now it is a common thing with boys, from 15 years old upwards; you find them in different parts of the city on Sunday morning, particularly in the Earl of Meath's Liberties where I reside, and you find them in the public-houses spending what they get from their parents out of their small wages for the week's work; if there were no public-houses to go to they would spend their Sundays in a different manner.

514. Where do you think the working men and boys would pass their Sundays if the public-houses were not open?—In fine weather there is the Phoenix Park, and there are several other nice places, where they can enjoy themselves, and walk and sit.

515. And in the winter, I suppose, they might stop at home?—In the winter they might stop at home, or go to their places of worship, then come home and sit for an hour or two, and then go to bed.

516. Do you, or do you not, think that the working men, as a class, would feel that the only comfortable place for passing the Sunday was shut up, if the public-houses were closed?—A portion of them would think so, but some would think otherwise.

517. Do you think that any inconvenience would be felt by young men and others living in Dublin away from their families, if all the eating-houses were closed on Sunday for the sale of drink?—I think they would be very little inconvenienced, and that the amount of good to be effected would counterbalance the inconvenience that a few people might suffer from the closing of those places.

518. You do not think there is a large class of working men, or men just above the working class, who are dependent upon public-houses and

eating-houses for their meals on Sunday?—Certainly not.

519. Do you think that any great inconvenience would be felt by the people who might be considered travellers, coming from a distance, and being able to get nothing to drink?—There would be great inconvenience, of course, if a man came in from Liverpool, for instance, and wished some refreshment; no doubt he would think it a great hardship if he could not get it.

520. But that is not a large class, I suppose?—No, not on Sundays, certainly.

521. Is it much the practice for the working classes and the middling classes to go out into the country, on Sundays, to Bray or to Kingstown, when the weather is fine?—Yes, what I call the respectable portion of the working classes very often take a run to Kingstown or Bray, on a fine Sunday evening.

522. Do such parties take provisions with them?—If they go to Bray, and such places, they take provisions with them generally; say a man and his wife, and a portion of his family.

523. What do they have to drink on those occasions?—Very often they bring a little drink with them.

524. Would a party who was spending a Sunday at Bray be inconvenienced by finding the public-houses closed?—They might feel it a little inconvenient if they have brought no drink with them.

525. But you do not think that would be a great hardship?—No.

526. Supposing it was not considered possible to close the public-houses altogether in towns on Sundays, and they were kept open for a certain number of hours, what, in your opinion, would be the best hours to select for that purpose?—The best hours would, in my opinion, be from two to four, if the public-houses were kept open at all.

527. Do you think it would do any good to keep up the restriction which exists in the Bill for allowing drink to be sold for consumption off the premises?—I think if you allowed it to be sold on the premises, the evil would be just as bad as it is now, for in those two hours many men would take as much drink as would put them in the way of getting more in the best way they could.

528. But do you think there would be an advantage in forbidding the sale of drink to be consumed on the premises, if they were allowed to sell the drink to be taken away?—Yes, I think it would be a great advantage not to have the drink consumed on the premises.

529. Why do you think that?—Because I believe if the drink was allowed to be drunk on the premises, some men would take so much in those two hours, that they would get nearly intoxicated; they would desire to take more, and I believe that if public-houses were allowed to be open for a portion of the day, there would be opportunities of getting more, and bringing it home.

530. But suppose that the drink was not allowed to be consumed on the premises, do you think that working men would club together and buy, say a gallon of whisky, and go somewhere else to have a carouse?—Very few of them.

531. A good many, perhaps, would buy some porter to take home to their families?—Yes, but I think very few would club together in the way you speak of.

532. You do not think that houses in connection with the public-houses would be opened for the

the purpose of letting men in to drink; say a house near a public-house into which men might fetch a gallon of whisky and drink it?—There might be some.

533. But do you think that would be common?—No, I do not think that it would be common.

534. Mr. Dawson.] What is the usual beverage of the working classes in Dublin?—Porter, or ale.

535. Mr. Stacpoole.] Do they drink much whisky?—They do.

536. Mr. Leader.]—You said you thought that Bill of this kind might be felt as class legislation by the working people in Dublin?—By many of them.

537. Do you think that feeling would be strong?—I think it is pretty strong at present, but I believe that after a short time it would pass away.

538. Do you not think it would be very undesirable in these times to give any excuse for any feeling of that kind?—I think the better portion of the working classes would feel satisfied after the Bill became law, because they would see the good effects of it.

539. Mr. Stacpoole.] Do the working people of Dublin drink more whisky or more ale, do you think?—I could not say; some drink porter, some drink ale, others drink whisky.

540. Mr. Dawson.] Did I understand you to say that you thought if the time for which the public-houses were open was confined within a short space, people would drink just as much, and that the mischief would be as great as it ever was?—The evil would be nearly as great if they were allowed to consume the drink on the premises, I think.

541. Mr. Pollard-Urquhart.] Suppose the act allowed beer or porter to be sold for consumption off the premises on Sunday, but not spirits, do you think that could be enforced, or that it would be abused?—I think whisky would be sold directly.

542. You stated that the working classes drink porter and ale on Sunday; is that generally draught porter?—Draught porter.

543. Draught porter laid in on Saturday would of course spoil, but people could lay in bottled porter, could they not?—Yes.

544. But the expense of having bottled porter or ale would be much greater than that of having draught porter or ale, would it not?—The difference would be trifling.

545. Mr. Pim.] What is the usual dinner-hour for the working classes?—From two to three.

546. What meal do they take after dinner?—Tea between six and seven.

547. Do you know of any working man who is in the habit of taking supper?—I cannot say I do.

548. It is not usual, at all events?—It is not usual, but some may do it.

549. You do not think it would be needful to keep public-houses open in the evening of Sunday for the purpose of supplying drink for those few who take supper?—No; and I think it would be a very great evil in other respects.

550. In England it is very much the habit of working people to take supper?—No doubt.

551. But it is not customary in Ireland?—It is not at all customary in Dublin.

552. Are there a large number of persons employed in the public-houses?—Yes; large numbers of young men are employed, and the

tendency of our times is to shorten the hours of labour, and that is a class that is very much overlooked; for six days in the week their hours are 17 hours a day, and eight or nine hours on Sunday; they are an intelligent class of young men.

553. And you think it would be a great advantage to those young persons to have a weekly day of rest, I suppose?—A very great advantage indeed.

554. Would not the advantage be considerable if they even had to attend on business from two to four, and had the remainder of the day to themselves?—No doubt.

555. Do you think their time would be spent well if they had it?—I do; they are a very intelligent well-conducted class of young men.

556. Sir Graham Montgomery.] What proportion of the working men in Dublin do you think take supper, would you say one in 10?—No, not so many as that.

557. Then you think the proportion is so very small that it would not be desirable to keep the public-houses open, say from eight to nine, even if it were for the purpose of selling liquors to be drunk off the premises?—I think not; I think there would be more whisky than porter sold in that hour.

558. Mr. Murphy.] You stated that your opinion was that if the public-houses were kept open for two hours on the Sunday, men would have an opportunity of taking such a quantity of liquors as would induce them to go and look for more wherever they could get it?—Yes.

559. Even if they were not allowed to consume it on the premises; did I understand you to say that?—No, my meaning was the contrary of that.

560. But what difference would it make if they were allowed to buy the drink and consume it next door?—I think they would not lay it in for the purpose of making an evening of it; but that they would only get what drink was necessary for their dinner, or perhaps a little more. I do not believe they would think of getting in a quantity for the purpose of intoxicating themselves.

561. But suppose in a very large number of instances the middle class or lower class of public-houses, the proprietors found it to their advantage to hire a house next door to their own house, and the public-house was kept open for the sale of liquor, for, say, two hours on Sunday, and people could go and drink it in this unlicensed house under the name of an eating house or any other name, would not exactly the same effect be produced as if the people who came to this unlicensed house to drink were in a tap-room?—No; I think it would only be the lowest class that would avail themselves of a house of that kind.

562. But would not the same class avail themselves of a house of that kind as now avail themselves of the taproom?—Suppose a public-house is open for two hours on a Sunday, the liquor to be drunk on the premises, half-a-dozen tradesmen meet on the Saturday and ask others in as friends to have a treat. Number one is asked what he would take, and he says he will take a glass of ale. Number two returns the treat of number one, and so on, till they have had half-a-dozen glasses of ale. Now the custom of this country is very different; half-a-dozen men will go in and call for a glass of ale each man, and they will be

satisfied,

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satisfied, and will go away; but in Ireland a man will not take a treat from another without returning it; so that if they take six or eight treats they go away under the influence of drink, and very much disposed to get more wherever they can.

563. But supposing they have all the opportunities which you describe, and all the tendencies to treat each other, which are shown in tap-rooms, and suppose they have similar opportunities in a house next door, do you not think the custom would spring up of buying the liquor at the public-house to be drunk next door; and would not that be likely to occur in the very same class of people as would use the tap-room?—No, not in the same class of people; half-a-dozen people may go into a public-house of a respectable class, but they would not go to a house set apart for evading the law.

564. But there would be no evasion of the law in that case?—Yes, to some extent it would be driving a coach and six through an Act of Parliament.

565. The present Bill proposes that you may buy any amount of liquor you wish, but that you may not consume it on the premises, within the precincts of the place where it is bought; but I understand you to express the opinion that nothing but the total closing of public-houses on Sunday would effect any real substantial good?—I think that the total closing of public-houses would be the best plan.

566. Do you think the plan proposed by this Bill of allowing any quantity of drink to be bought within restricted hours, but not to be consumed on the premises, will produce any appreciable effect?—Very little, I think.

567. Major Gavin.] Do I understand you to say that there are young men in Dublin who are worked 17 hours a day?—Yes, the assistants in the public-houses are worked from six in the morning till half-past 11 at night.

568. Your opinion is decidedly that if this Bill is to have any effect it should go for the total closing of public-houses on Sunday?—Yes.

569. Mr. Stacpoole.] Your plan would be closing public-houses from half-past 11 on Saturday till six on Monday morning?—It would.

570. Major Gavin.] Do you think that if the public-houses were open for two hours a day the frequenters of public-houses, knowing they had only those two hours before them, would drink whisky instead of porter, because it was the stronger liquor?—No, I think that would not induce a man to change his favourite drink for the purpose of getting drunk.

571. I think you stated that people would drink as much in the two hours as would do them a great deal of mischief?—I was asked whether if houses were left open for the sale of beer and porter only, what I thought the result would be, and I said that whisky would be sold as well as beer; and where whisky is consumed, there is more drunkenness and irregularity and noise, than if there was nothing but beer sold.

572. Chairman.] Do you think it would be worth the while of a publican of the lower class, in order to evade a law against drinking on the premises, to take a house next door into which people might go and drink what they have bought in his public-house; do you think it would be worth his while to pay a rent for that house next door, and keep it up for the use of a few people on Sunday only, that is to say, for 52 days in the year?—I do not.

573. Mr. Pollard-Urquhart.] Are there such things as working men's clubs or institutes getting up around Dublin?—There are trade societies.

574. But I mean places of resort for reading the papers and things of that kind?—Not that I am aware of.

Mr. MICHAEL JOHN RALPH, called in; and Examined.

Mr.
M. J. Ralph.
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575. Chairman.] ARE you President of the Association of Spirit Grocers of the city of Dublin?—I am a member of it.

576. And you attend here to give evidence at their request?—Yes.

577. How many spirit grocers are there enrolled in that association in Dublin?—There are between 200 and 300 spirit grocers in the city of Dublin, but I cannot say how many there are in the association.

578. Are the greater number of the spirit grocers members of your association?—Yes.

579. So that we may take what you say as representing their opinions?—Decidedly.

580. Have you read the Bill now before this Committee?—Yes, I know the tenor of it.

581. Is it your opinion that it would be desirable to diminish the facilities for the sale of drink on Sundays?—I think if it could be done it would be desirable.

582. Do you think it could be done?—I think not, without first altering the licensing system of Ireland.

583. But assuming for a moment that the licensing system were regulated in any way you please, you think it would be possible, and, if possible, desirable to diminish the number of hours

for the sale of intoxicating drinks in Ireland on Sunday?—I think so.

584. Do you think it would be possible to prohibit the sale of intoxicating drink in Ireland altogether on Sunday?—I think it would be very difficult.

585. But would it be desirable?—I think it would be desirable if it could be accomplished.

586. I do not mean theoretically but practically desirable on the whole?—I think it could be done.

587. Do you think that it would be desirable as well as practicable?—Yes.

588. Then do I understand you to say, that you would be an advocate for the total closing of public-houses on Sunday?—Yes, I would if the licensing system was altered.

589. I am assuming that everybody who sells drink in every possible way is to be prohibited from selling it on Sunday; would you be an advocate for that prohibition?—I would.

590. Do you think everybody else would be in favour of it?—I have been for 24 years a spirit grocer, and I do not think people generally would be in favour of it.

591. Do you think they would generally be in favour of some amount of restriction?—I think that

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that the working classes seem to be displeased at being interfered with at all.

592. That of course applies to the City of Dublin, to which your experience is confined?—Yes.

593. Supposing it was desirable to diminish the hours for the sale of intoxicating drinks on Sunday, do you think a distinction could be kept up between selling drink to be consumed on the premises, and selling drink not to be consumed on the premises?—Quite easily.

594. If a publican were allowed to sell drink not to be consumed on the premises you think that would not lead to drinking on the premises?—Certainly not; that practice exists in our own trade.

595. And the law is enforced against you?—Decidedly.

596. So that you think it could be done against any one else?—It is quite possible.

597. Suppose it were considered desirable that shops of all sorts for the sale of intoxicating drinks should be kept open for a limited extent on Sunday, only for the sale of liquors not to be consumed on the premises, what would be the hours for which you would think it most necessary to keep them open; would it be in the middle of the day?—Yes, I should say from three to six.

598. Is there any necessity, do you think, for leaving them open for the purpose of getting drink for supper at a later hour of the day?—Generally speaking the working classes do not want supper; but there is a class above them who would be very much inconvenienced if they were unable to send out for drink for their supper.

599. What class is that?—The class of mercantile clerks, who have servants of their own to send out for their drink.

600. Could they not send out before six o'clock?—They send out for it according as they want it.

601. Do you think that it would be a serious inconvenience if they were unable to get it; it is an inconvenience, no doubt, if a man has not a shop from which he wants something always open, or open next door; but would you consider it a sensible inconvenience that that class should not be able to get drink after six o'clock in the evening?—I should not say so.

602. You agree that the working classes of Dublin do not habitually take supper?—Generally they do not, but some do.

603. They do not take beer with their supper generally, do they?—I could not tell you; they send out for a great deal at night some of them, and bring it to their own place in bottles.

604. Do you think the best thing would be to forbid the sale of intoxicating drinks altogether on Sunday, and that the next best thing would be to forbid the sale of intoxicating drinks on Sunday for consumption on the premises; and thirdly, if the public-houses should be kept open for a certain number of hours for the sale of liquors not to be drunk on the premises, that the best hours would be from three to six?—I think so.

605. Now will you kindly inform the Committee what are your views with regard to the distinctions that you think at present exist, and which ought not, in your opinion, to exist between the different classes of shops that are licensed?—We ourselves pay a higher license, and do not get the same privileges as those who

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pay the smallest license; the opinion of our trade is that there should be a uniform license granted, putting all classes on the same footing, and then it would be quite possible to pass the present Sunday Closing Bill, and there would be no inconvenience; but if you pass it now, the parties who do not get those privileges would take pains to break the law.

606. You propose, in fact, that there should be only one license?—Yes.

607. And that that license should authorise a man to sell wine, beer, and spirits, and every species of drink?—Yes.

608. And that it should authorise him to sell it for consumption on or off the premises?—Exactly.

609. How would you propose that the amount of that license should be regulated?—According to the valuation of the premises.

610. And that is what you wish to bring before the Committee?—Yes.

611. Mr. Pollard-Urquhart.] You stated just now that you thought it would be inconvenient to some classes of people if they were not able to send to the public-house for spirits or beer in the evening of Sunday; but on the other hand, might not it be an advantage to them not to be able to gratify their craving for more?—Yes, in some cases.

612. The probability is, that a person, knowing that his friends would come to supper at a certain time, would send out for as much as would be good for him and them, if he knew he could not get it after a certain time?—No doubt; I think if a person had liberty to get what he required he would get what would suit him.

613. But if he has had as much as is good for him and his friends he possibly might have a craving for more?—If the house was closed he could not get it.

614. Might it not be an advantage on the whole if he were not able to get it?—Yes.

615. Mr. Pim.] Your attention has been called to the subject of beerhouses, and with regard to licenses you stated you thought there ought only to be one system of licensing, do you mean that no one should be permitted to sell beer without the same license as is required for the sale of whiskey?—I would have a general licensing system, and charge it pretty high, according to the valuation of the premises, which would keep the trade respectable.

616. Would your suggestion with regard to licenses interfere with the beerhouses?—Yes, it would do away with them.

617. What objection do you make to the consumption of beer?—The present class of beerhouses in Dublin are a very low class, and the authorities and all parties are very much against the present beerhouses.

618. Do you think there is any other description of drink sold there under the pretence of selling beer?—There is no doubt about it; they are a very low class of houses.

619. Mr. Murphy.] You were saying that you would wish to make the licenses of all persons who sell intoxicating liquors the same?—Yes.

620. That is to say, to have the licenses on the same principle, according to the valuation of the houses?—Yes.

621. What is the class of customers that you generally serve, and what is the smallest quantity of liquor that you are allowed to sell?—Half a glass of spirits.

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622. Does

Mr. 622. Does your trade extend to anything but
M. J. Ralph. merely selling liquors?—Teas, sugar, and gro-
 — ceries of every kind.

26 March 623. Are you allowed to sell beer?—Yes.

1868. 624. And any kind of liquor?—There are
 nearly half-a-dozen licenses, and it is confusing.

625. But are you allowed to sell everything
 that a publican is allowed to sell?—Yes.

626. Then what is the difference between him
 and you?—We are not allowed to have it con-
 sumed on the premises.

627. But you may sell as small a quantity as
 half a glass, may you?—Any quantity under two
 quarts of spirits.

628. When a man comes into your place and
 buys a glass of whiskey, what does he sometimes
 do with it?—He takes it away in a bottle, or he
 would drink it if I would allow him to do so.

629. Has it ever occurred that a man has drunk
 it?—Very often.

630. And is there, in fact, any possibility of
 preventing that?—There is only a chance of pre-
 venting it.

631. Sir *Graham Montgomery.*] Are you under
 penalty for allowing liquors to be drunk on the
 premises?—Yes, a very heavy penalty, 50*l.*, and
 our license is cancelled.

632. Mr. *Pollard-Urquhart.*] But you cannot
 always prevent it, I suppose?—It is very hard to
 turn a good customer out of the shop.

633. Besides, a man might toss off the whiskey
 before you could stop him?—Yes.

634. Sir *Graham Montgomery.*] Are your
 licenses under the same regulations as publicans'
 licenses on Sundays?—We are compelled to shut
 up half an hour before them on Sundays, and every
 other evening.

635. Major *Gavin.*] Are you a teetotalter
 yourself?—I am not.

636. You stated that you thought it would be
 better to have the public-houses closed altogether
 on Sundays, I think?—That is my opinion.

637. Do you think that it would be approved
 of by the public in general?—I do not think it
 would.

638. Do you think that it would give general
 dissatisfaction?—I think the people generally
 would be dissatisfied if they were debarred from
 getting refreshments.

639. *Chairman.*] The only check that you
 have to prevent consumption on the premises is,
 that you would not give a man your utensil to
 drink the liquor out of; but if a man brings his
 own bottle, and gets half way to the door, unless
 you ran after him you could not prevent his
 drinking off what he had bought?—No; I could
 not, and I might be fined, and if a man came in
 under the influence of liquor, and got that drink,
 the serjeant might summon me and fine me, and
 arrest the man, and all persons found on the pre-
 mises.

640. Your only check is, that you do not give
 the man your glass?—Just so.

641. Major *Gavin.*] When a man brings a
 bottle for the liquor that he buys, do you take
 the bottle from him and pour it in yourself?—He
 often brings in a bottle and pours it in himself,
 and when he does that he may drink it on the
 premises in spite of all I can do.

642. Mr. *Stacpoole.*] Does a man often drink it
 on the premises, or does he generally take it
 away?—He generally takes it away.

643. Mr. *Murphy.*] What proportion of cus-
 tomers have you coming in to ask for glasses of
 whiskey, as compared with the customers who
 come in to ask for quarts of whiskey?—A quart
 is a large quantity; generally, we have bottles
 ready for noggins.

644. How many glasses does a noggin hold?
 —Two.

645. What proportion have you been in the
 habit of selling of noggins, as against pints?
 Twenty to one I suppose.

646. Mr. *Pim.*] How many spirit grocers do
 you say there are in Dublin?—Between 200
 and 300; over 200 at all events.

647. You employ a considerable number of
 young men as assistants?—I employ two, and a
 couple of porters.

648. Are there any of your own family em-
 ployed besides that?—No.

649. Your business is managed by yourself,
 and four assistants?—Yes.

650. I suppose it may be taken as a fair type
 of the class on the average; four assistants
 would be employed, generally, in each establish-
 ment?—Yes.

651. What are your hours of work?—We
 generally open between seven and eight in the
 morning.

652. And shut when?—At 11 to a moment.

653. On Sunday you open at two and close at
 11?—Yes.

654. Then your people are employed for 16
 hours a-day for six days in the week, and nine
 hours on the Sunday?—Yes.

655. Do you not think that very hard work?
 —I have to do it myself.

656. Then would it not be a great comfort to
 yourself, and a great advantage to the people in
 your employ, if you had a weekly day of rest?
 —It would.

657. A comfort worth some pecuniary sacri-
 fice?—We should sacrifice a good deal by it;
 but our trade would be willing to do it if it were
 satisfactorily dealt with in other ways.

658. Do you think that the persons employed
 in the trade would spend their time of rest well if
 they got it?—I think, generally, they would;
 they are a very good class of young men; if they
 were not we should not keep them.

659. Major *Gavin.*] I suppose you know
 pretty well all about the public-houses in Dublin?
 —Yes, very well.

660. Is it the case that public-houses are open
 for 17 hours a-day, and during that time the
 servants are kept at work?—There are very few
 of them open for that length of time.

661. Do you believe that men and boys are
 kept at work for 17 hours in any instance?—
 Their time is occupied from the time they get up
 till they go to bed, except when they are taking
 their meals.

662. Mr. *Pollard-Urquhart.*] It would be more
 correct to say that they are in attendance for those
 hours than that they are at work for those hours?
 Yes, they are weighing tea, and serving whisky,
 and so on.

Mr. PATRICK PILLSWORTH, called in; and Examined.

663. *Chairman.*] WHAT are you?—A Grocer and Spirit Merchant in Dublin.

664. You are also the owner of at least one public-house?—I am the owner of three public-houses, with retail licenses for consumption on the premises.

665. You sell for consumption on the premises, as well as for consumption off the premises?—Yes.

666. Where are those houses of yours?—One is in Thomas-street, and two where I reside, in James's-street; one is a house which I have lately built.

667. And both of them are, I believe, in a district of the town which is greatly inhabited by working men?—Yes; at least, James's street is; Thomas-street is more of a thoroughfare, but there are working people there too.

668. How long have you been in the trade now?—Twenty-five years.

669. So that you have had a good deal of experience of it?—Yes.

670. What is your opinion with regard to the evil of drinking on Sunday: do you think there is more or worse drinking on Sunday than there is on other days of the week, in the case of working men?—I do not open my own house on Sundays, but I think the class that chiefly frequent those houses on Sundays are more inclined to get drunk on Sundays than on other days.

671. How long have you been in the habit of closing your house on Sunday?—The house I live in I have not opened for three years, but the other houses I closed on January 1867. I succeeded in getting 12 houses in Thomas-street closed, but out of the 12 there are only five that have kept to it.

672. What is the reason of that; I suppose they found there was no use in shutting up as long as one or two of the houses kept open?—There were 21 licensed houses in Thomas-street; out of the 21 four were to my knowledge open for business for years; and one of those parties, when the other houses were closed, except the five that did not close; one of those houses that had not opened from the time he was in business, which was a short time opened when the others closed, and thought he should do a large business, at the same moment his neighbour opened. I went to them and thought to get them to give their promise, and got them to sign a requisition which I advertised in the "Freeman," but it was of no use.

673. In the town of Dublin, your experience shows that it is impossible to shut the public-houses by any voluntary agreement, because some people out of the number are sure to break the promise?—Yes.

674. We have heard some complaints of the injury which might be done to people who have invested capital in public-houses by closing them on Sundays; you have a good deal of capital invested in public-houses yourself, have you not?—Yes.

675. Have you lost heavily by closing your houses on Sunday?—I am not aware that I have; I have a retail license, but my business is more in the grocery and wine way.

676. Mr. *Murphy.*] You do not depend on small consumption?—To some extent; I can sell a puncheon the same as a distiller; but mine 0.55.

does not depend upon small gains so much as the others.

677. The business of an ordinary public-house depends altogether on small consumption?—Yes.

678. And you do not?—Not exactly.

679. *Chairman.*] Do you think it would be a good thing if all the houses for the sale of intoxicating liquors were shut up in Dublin on Sunday?—I would rather not express an opinion.

680. Suppose it were considered desirable to limit very much the sale of intoxicating liquors, do you think that it would be practicable to allow the public-houses to be open for a certain number of hours for the sale of drinks not to be consumed on the premises, or would such a law, in your opinion, always be broken through?—I do not know what law you could make; no doubt many houses would not break the law, but there are things to be got in Dublin at two o'clock.

681. Would there be any practical use in making a distinction between the sale of drink to be consumed on the premises, and drink not to be consumed on the premises?—I would not have it drunk on the premises, even if the houses were open; my opinion about the beerhouses is, that it was the greatest mistake ever made; that it was an injustice to us, and has done a great deal of harm in Dublin to my own knowledge.

682. Supposing it was considered necessary to leave public-houses open for a certain number of hours in the course of the day, what do you think would be the best hours for leaving them open?—From two to four, or from three to five.

683. Would there be any sensible inconvenience, do you think, from people not being able to get drink for their supper after five o'clock?—I think not.

684. What do you think would be the best plan with respect to licenses; would you agree with the last witness that it would be the best thing to have only one license for everything?—I think that it would be the best thing to have only one license for everything, but I think you should do away with the license which he has, because it can be so violated by people coming in and drinking on the premises against his will, but I think if you have only one general license, you do the retailer an injustice.

685. Why do you do him an injustice?—Because you give him the same privileges as the man who pays a heavy fine for his house.

686. But suppose both the men pay the same license?—You put him on the same footing as the man who has property invested in a business.

687. But every man pays for his house?—Yes, but every man cannot get that license; there is no such thing as getting a new retail license.

688. That is in consequence of the opinion held by the recorder, and I think very properly?—Yes.

689. But your view is that in consequence of the limitation of the retail licenses, high prices have been given for a house which has got a retail license attached to it, and that if you allow a man in another house to get a retail license by paying for it, you would do an injustice?—There is no want of retail licenses in Dublin; on the contrary, I think there are too many.

690. Mr. *Murphy.*] Are you aware whether you get much custom between eight and nine on Sunday, or whether respectable tradesmen or mercantile

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mercantile clerks might wish for something to drink with their supper on week evenings?—I cannot answer that question.

691. Do you generally have much custom in the way of liquor between eight and nine in the evening, or as much as at other times of the day. I mean, for liquor to be drunk off the premises?—I cannot say.

692. You have a great deal of practical knowledge of the working of your own trade, and possibly with regard to the habits of those people who go into taprooms and sit down to drink on the Sunday?—Yes.

693. Do you think that the class of men who would commit an excess on Sunday by taking more than was good for them, could be prevented from doing it if they had the power of buying the liquor, whether it was to be drunk on the premises or not?—It would be a check to some extent.

694. Do you think it would make any appreciable difference in a place like Dublin among that class of people who are determined to drink?—There would not be so much temptation.

695. Do you think it is likely that those parties would get together in houses near the public-houses which would gradually grow up into places of private resort on Sunday, for the drinking of liquor which was bought to be consumed off the premises?—I think not; I think the Dublin people would not club together in that way.

696. I am speaking of people who are in the habit of going to taprooms?—I could hardly express an opinion.

697. Major *Gavin*.] Are you a teetotaller?—I am not.

698. *Chairman*.] It has been suggested that if liquors were allowed to be sold for consumption off the premises on Sunday, it might be worth the while of a publican to get an empty room or a house next door where he could arrange so that people who wanted to drink what they had bought of him might take it into this place and drink it; do you think it would be worth a publican's while to pay the rent of a house or a room for the whole year in order to arrange this plan of dodging the law for only 52 days out of the year?—I cannot say.

699. Do you really think it *would* be worth his while?—It might be done in some cases. Reading over the Act, I see something about eating-houses, and I think if you leave that loophole you will defeat your own object; if the Bill passes with that clause you would have in every business street of Dublin within a month after the Act passed, at least a dozen *bonâ fide* eating-houses that would supply a little food and a good deal of drink; with regard to hotels, unless there were something else in the way of supervision than there is, a number of hotels would spring up, and I believe it is the case.

700. Mr. *Murphy*.] You think the establishment of eating-houses under the proposed Act would have the same effect as the taproom system has now?—Worse; I know from experience of the beerhouses that they have done a great deal of harm in Dublin.

Tuesday, 31st March 1868.

MEMBERS PRESENT :

Mr. Cubitt.
Mr. Dawson.
Major Gavin.
Mr. Leader.
Sir Graham Montgomery.
Mr. Monsell.

Mr. Murphy.
Mr. O'Neill.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.
Mr. Stacpoole.

MYLES WILLIAM O'REILLY, ESQ., IN THE CHAIR.

Mr. FRANCIS LYONS, called in; and Examined.

701. *Chairman.*] You are a Merchant, and the Mayor of Cork?—I am.

702. Have you considered the question of sitting, or prohibiting altogether, the sale of intoxicating drinks on Sunday in Ireland?—Yes.

703. And especially with regard to your own town?—Yes.

704. Do you consider that if it was practicable, the total closing of public-houses on Sunday would be desirable?—The only objection in my mind is the fact that the article which would be the least intoxicating is perishable, and that which is most intoxicating is not perishable; so that the total closing of public-houses on Sunday might induce people to supply themselves with spirits rather than porter or ale beforehand.

705. Do the working men and that class of people in the town of Cork consume a good deal of porter and beer?—Yes.

706. Before their meals or afterwards?—I am rather inclined to think afterwards; I think there is a want of sociality among the working classes, much in a desultory manner sitting here or there; I think they do not get any spirits or porter at their meals.

707. Do they ever drink beer or spirits with their families at home?—Not to any extent; at least the cases of drunkenness seem to be such that we might argue that they are entirely owing to drinking in public-houses.

708. But do they often, as an enjoyment on Sundays, get a quart of beer in their own houses?—You think?—I think not.

709. Is there much Sunday drunkenness in the town of Cork?—Not very much lately.

710. But compared with the other days, is the drunkenness on Sunday considerable?—The dock is always heavier on Monday than for any other days, but a great deal of that arises from Saturday night drunkenness rather than from Sunday morning drunkenness; people who have not been sober since the night before.

711. You know the purport of this Bill, I presume?—I do.

712. In the first place, would you consider it possible to stop the sale of drinks altogether in country districts?—I think it might be done in the country districts; it has been done in fact.

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713. Do you think it would be advantageous if it were practicable?—I think so.

714. What do you imagine would be the opinion of the country people in general; would they consider it an injustice or a hardship?—It would not be much of a hardship on the country people, because my experience leads me to this opinion, that it is after attending service on Sunday that they go to the nearest house and drink; when they leave it they have no facility for getting drunk afterwards, and if the temptation were taken away by closing the parish public-houses, I believe the agricultural population would not suffer any inconvenience at all.

715. You do not think that the public-houses in the country districts supply places of reasonable amusement and social intercourse to the country people?—I think not, indeed.

716. To come to the towns, and taking Cork as an example, do you think it would be practicable to stop the sale of intoxicating drinks on Sunday altogether in Cork?—I do not think it would. I think it would be utterly impossible.

717. You think it would lead to breaches of the law?—Yes, certainly, even with the present law the breaches of it on Sunday morning are on a large average in Cork.

718. You think the people would feel such a law a hardship?—Yes; I think they would.

719. Do you think it would be possible or desirable to limit further than at present the times for the sale of intoxicating drinks on Sunday?—Yes, I think it would be very beneficial.

720. What hours would you suggest?—I think 11 o'clock is too late, and there is no use in it. I believe the consumption within public-houses after nine o'clock is very undesirable, and that people who frequent public-houses after that hour are of a bad class.

721. You think that none but real drunkards are to be found in the public-houses late at night?—As a rule.

722. What hour do you think would be the earliest at which, without hardship to the working classes, the public-houses might be closed on Sundays?—I think eight o'clock.

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723. Do you think that they might be closed then, or even earlier than that?—It is very hard to form an opinion, a little experience would be the only guide. We closed them at six for a fortnight during last March, but I think it was a great hardship on many people.

724. Did you hear many people complain?—Yes.

725. What class of people?—Not the poorer sort of people, but parties more in the middle class.

726. But as to the hour at which public-houses open on Sunday, do you think it might be made later with good results?—Yes, I think it might be made three o'clock with advantage, in order to give those people who are so disposed an opportunity of returning home after they leave church without the temptation being put in their way.

727. The greatest temptation to the working people is from the public-houses being open close to their places of worship, just as they leave on Sundays, is it not?—Yes.

728. Great numbers of them, if the public-houses were closed at that time, would go home to their families, and if, on the other hand, they find the house open just as they come out after mass, they are likely to go in to get some drink, and stay there?—Yes, it is a great temptation.

729. You think it would be an advantage to delay the opening till three o'clock?—I think so.

730. Do you think that those proposed changes would lead to any more violations of the law than at present exist?—No, because the principal breaches of the law on Sunday morning occur before 10 or 11 o'clock or earlier.

731. You consider that while there is a considerable amount of breaches of the law now, it would not be induced by the change suggested?—I think not. At the present time, although breaches of the law are rather frequent, they are confined to a small number of publicans; the great body of the publicans of Cork are very respectable.

732. And to a small number of customers comparatively, I suppose?—Yes; people who are "thirsty" after their Saturday evening drink.

733. What would be the effect of closing public-houses on Saturday evening earlier than they are now closed?—It would diminish the Sunday drunkenness, and lighten the dock on Monday morning.

734. Would it be better for the working classes that the public-houses should be closed at an earlier hour on Saturdays?—Yes, because wages are paid on Saturdays, and if they had no temptation thrown in their way, they would take more home to their wives and families, instead of spending their money in the tap-rooms.

735. But do you think that a man who had not had the chance of getting drunk on Saturday evening, would be less inclined perhaps to get drunk on the Sunday morning?—He would be in a much better state certainly for going to his prayers on Sunday morning.

736. Do you think in fact, with regard to a purely agricultural district, there would be no difficulty or hardship in the total closing of the public-houses on Sunday?—I cannot speak very practically with regard to rural districts, but with

regard to towns I may say that I think there is no parity whatever.

737. With regard to large towns like Cork you think that the only practicable course would be to diminish the number of hours for which public-houses were to be opened?—Yes, I think it would be impossible to close them altogether.

738. Could you offer to the Committee an opinion as to the point where the limit between town and country would have to be drawn?—It would be very hard to draw that limit; we have towns of 6,000 inhabitants where they close the public-houses altogether on Sundays.

739. What is the population of Cork?—About 90,000.

740. How do you think that the case would stand with regard to a place like Queenstown?—At Queenstown there is a large seafaring population, and a pilot arriving from his cruise, and coming ashore from his vessel, would find it very hard if he could get nothing in the shape of refreshments.

741. The case would be analogous to that of Cork, you think?—I think so.

742. Are you aware that there is a provision in the Bill before this Committee, distinguishing between the sale of liquors to be consumed on the premises, and the sale of liquors to be consumed off the premises; do you think that is a distinction which could practically be well worked?—My opinion is that wherever liquor is sold it should be as much as possible consumed in the place of sale, where the character of the people who hold the house is responsible for the good conduct of the consumer while drinking it.

743. Mr. Pollard-Urquhart.] You stated, I think just now, that you feared such restrictions as are proposed by this Bill might lead to the drinking of more whisky and less beer on Sunday, because beer would spoil if it were kept, whereas whisky would not?—I said I thought that the total closing of the public-houses on Sunday would have that effect.

744. Then, taking it from that point of view do you think that if beer is allowed to be sold during certain hours of the day, and drank off the premises, the permission would be abused?—I think the restriction to consumption off the premises would tend to drive people into houses over which the law would have no control, and for the good management of which nobody would be responsible.

745. But do you think that if beer were allowed to be sold for consumption off the premises whisky would be surreptitiously sold instead of beer?—I think so; I think that if there were any illicit sale, it would be of spirits, and not of beer.

746. I am supposing that the sale of beer was not illicit; do you think that people would tend to buy beer, and carry away spirits instead?—I think the tendency would be that way.

747. You stated you thought the middle class in Cork would feel the total closing of public houses on Sunday a great hardship; do you mean the better order of mechanics, or do you mean shopkeepers?—I mean the better order of mechanics and shopkeepers, and their assistants.

748. You appear to think that the selling of beer to be drunk off the premises would lead to more mischief than the selling of beer to be drunk upon the premises; but, on the other hand, might not a man who had bought beer to be consumed

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the premises have a little conviviality with his friends or his family without getting drunk, whereas if he drank his beer at the public-house might get dangerously drunk?—Yes; but if beer was allowed to be sold on the premises as well as off, he would have the option; while in the case of the consumption being only allowed on the premises he would have no option; in the case where he could only drink the beer off the premises he might be drawn into worse company than he would find at the public house.

749. But people do not get drunk when they are sitting with their families as a general rule?—No.

750. If liquors were allowed to be sold to be drunk off the premises, do you think it would be more generally sold for the purpose of being drunk at home by a man with his family, or do you think people would go to illicit houses to drink it?—I fear that illicit houses would start up in large numbers, and that the consumption at such places would increase in larger proportion than the consumption which would take place at home among people's families.

751. You think that the drinking in illicit houses would do more harm than would be counterbalanced by the good which might arise from the increased consumption at home with the family?—I do.

752. Mr. *Murphy*.] You are aware that until the passing of the Act of 1860, commonly called Gladstone's Act, all public-houses were compulsorily closed at nine o'clock on Sunday evening?—Yes.

753. I believe it was not in consequence of any intention of Gladstone's Act, but the result of the extension of the hours to 11 o'clock to a certain class of houses mentioned in that Act, has been that the law has been construed to mean that public-houses might now have that privilege which they previously did not have?—Yes.

754. Are you of opinion that if the practice which prevailed before the passing of Gladstone's Act was now had recourse to, namely, the limitation of the hours to nine o'clock in the evening, it would be much more beneficial than the present state of things?—A great deal.

755. Do you, or not, think that a kind of vicious distinction might be created if houses under Gladstone's Act were allowed to remain open to 11 o'clock, while public-houses were compulsorily closed at nine o'clock?—I certainly think so.

756. Would you then think that in order to get rid of any such grievance, and to create a uniformity, if a new Act was to be passed the limitation of hours should extend to all places where liquors were sold?—Yes, certainly.

757. I think you said that eight o'clock would be, in your opinion, a good hour to fix for the total closing of public-houses on Sunday?—Certainly in winter.

758. Would you extend that restriction in winter to the houses which I have mentioned under Mr. Gladstone's Act?—Yes; I believe they do more mischief than the public-houses.

759. You think that a uniform law with regard to the limitation of the hours ought to extend to all places where liquor is sold in any shape?—Certainly.

760. Major *Gavin*.] You stated you thought that the closing of public-houses early on Saturday night, would have a good effect in reducing

the amount of drunkenness on Sunday?—I think so.

761. What hour on Saturday evening would you recommend for the closing of public-houses?—I should say nine o'clock on Saturday evening would be a good hour.

762. But if the merchants and leading men in Cork were to pay their men their wages on Friday instead of Saturday, do you not think that would tend to diminish drunkenness?—In a good measure, I think it would, but the practice has not been usual; an employer likes to have the very last day he can get for paying a large amount of wages.

763. But would it not be a great benefit to the working man if it lessened the temptations thrown in his way?—Certainly it would; our public bodies, such as the Corporation, and the Harbour Board, do pay the wages on Friday.

764. What should you say to the idea of paying wages on Monday in the beginning of the week?—I am afraid if that plan were adopted the men would be like the animal in La Fontaine's first fable; they would be very *depourvus* at the end of the week, and Sunday would find them famishing, because they would have spent all their wages.

765. Are you aware that we have evidence before this Committee to this effect: that in Wexford and Tipperary, through the influence of the Roman Catholic clergy, all the public-houses are closed on Sundays, and that such a thing as a person being drunk on Sunday is unknown?—I am aware of that.

766. Do you think it would be possible, by the passing of an Act for closing public-houses on Sunday, to carry out the idea in Cork with the assistance of the Roman Catholic clergy?—I do not think it would; and furthermore, I think it would be an injustice, because if you close the public-houses and the poorer classes see those who are better off than themselves going into their clubs and getting what they want to eat or drink, I think it would prove a source of discontent and a great cause of grievance.

767. But we have evidence before us that there is no grumbling in these counties on account of the closing of public-houses on Sunday?—It is very different in a small country town from what it is in a large city.

768. Take Gorey, with a population of 5,000 inhabitants; you can hardly call that a very small town, and the people might all be pretty familiar one with another?—But, I am afraid, in Cork the system would not work at all.

769. Do you think that if the Catholic clergyman took the matter up with a strong hand, and if they were supported by the law, the total closing of public houses on Sunday could be carried out without giving great annoyance to the people?—I think the total closing of the public-houses on Sunday would lead to a worse state of affairs by the creation of shebbeen houses to a very large extent.

770. Do shebbeen houses exist at all in Cork?—There have been cases recently of one or two; I remember the time when they were rather frequent, but they are dying out at present.

771. Mr. *Leader*.] Do you remember the time when whisky was cheaper than it is now?—Yes.

772. Do you think that, compared with the population, there is less drunkenness now than there used to be?—I think in Cork drunkenness

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has diminished; there used to be, I think, about 80 people brought up on Monday morning, and certainly for the last three years there have not been that number; and last March, when public houses were closed at six in the evening there was not a case at all in the dock.

773. You think, in fact, that the increase in the price of spirits has diminished intoxication?—I should be inclined to think so, because people do not get so dangerously drunk even when they get a little tipsy from beer as they do upon whisky.

774. You think there is a great difference between the advisability of applying the law of closing to the country and to towns?—Yes; it has proved to be practicable in the country, and it has proved to be equally impracticable in the towns.

775. *Chairman.*] I think you advocate one uniform system of licensing applied to all dealers in intoxicating liquors?—Yes, the same license.

776. And also the same hours for opening and closing?—Yes, certainly.

777. That would not apply, of course, at all to hotels, and to people stopping in them?—Not at all.

778. Taking the case of travellers; not travellers stopping at hotels, but passing travellers that come from a distance; do you think they would feel any grievance if the hours for which public-houses opened were very much restricted?—If there were reasonable hours allowed on Sunday, there would be no cause of complaint.

779. Probably you observe that by the Bill it is intended to provide for that case, and also to provide for those who are dependent upon eating houses, and similar places, for their meals on Sundays; is there in Cork any large class of persons who are dependent on eating houses, and similar places, for their meals on Sunday, who would feel it a grievance if such places were closed?—The largest eating houses which we have do not allow liquor to be brought in at all; they belong to a company recently established.

780. You do not think the exception with respect to getting meals at eating-houses is necessary in Cork?—I think it is necessary for this reason, that there are eating-houses where people would call for beer.

781. But you think no more hours would be necessary for that purpose than for other purposes?—Just so.

782. Perhaps you observe another clause in the Bill intended to apply to the case of people who might want what the working classes in London would call "supper beer;" do you think the inability to obtain supper beer at the public-house would be felt as a want in Ireland?—I should be most inclined to keep public-houses open for one continuous period. In Cork there are nearly 500 public-houses, and the closing of them is a matter that requires the constant supervision of the police. Once a day, I think, would be quite enough to ask the force to look after that, and there would be great difficulty in getting them to do it oftener.

783. Opening the public-houses twice in the course of the day would increase the need of the presence of the assistants also, would it not?—No doubt.

784. Do you think the young men employed in those establishments in Cork, feel it a hardship that they are called upon to work so long on

Sundays, besides having long hours all the rest of the week?—I am not aware. I know of public-houses which are shut altogether, and suspect it is where they employ largely, and where besides the public-house business there is a retail business outside.

785. *Mr. Pollard-Urquhart.*] Is it a habit among the working classes and shopkeepers in Cork to go to Queenstown, or some place of the kind, to spend their Sundays?—In summer they go down by the steamer for trips.

786. Would those people who wished to spend their Sundays innocently in making excursion of that kind, experience great practical inconvenience from the total closing of public-houses on Sunday?—I think they might.

787. Do you think they would experience any practical inconvenience from the partial closing proposed by the Bill before the Committee?—I do not think so; my idea would be to leave the public-houses open for a continuous period which would suit the particular case you are putting, very well, for the steamers leave, perhaps, at one o'clock, and come back at about six.

788. *Mr. Cubitt.*] Do you think there would be any necessity for keeping open after six o'clock?—I think, perhaps, six o'clock is too early.

789. A suggestion was lately made with regard to an English Bill, that six-day licenses might be granted with general advantage. Now, supposing a six-day license were obtainable in Ireland, do you think the public-houses would avail themselves of it to any great extent?—The public houses are quite numerous enough as it is, I think.

790. But do you think publicans would avail themselves willingly of a license so restricted?—No, I think not.

791. *Mr. Murphy.*] You are aware that on Sunday the recreation of the artisan class particularly, and of other well-to-do people, is not exclusively confined to going in a steamer to Queenstown?—Just so.

792. You know that there is not a suburb, or a road leading to the country, where working men with their wives, daughters, and families are not to be found on Sunday walking out, or taking their provision with them in the neighbourhood of some public-house or other; if they could not get beer or spirits on Sunday at all owing to the closing of the public-houses, do you think the closing would prove a very great inconvenience to that particular class?—I think so.

793. *Major Gavin.*] I think you stated that there were about 500 public-houses in Cork?—Yes.

794. How long are they open on the weekday?—From 7 to 11.

795. For every day in the week?—For every day in the week.

796. How long are they open on Sundays?—From 2 o'clock to 11.

797. Have you heard any complaints from the people working in those houses of the number of hours for which they work?—No; but I should imagine their case is rather a hard one.

798. *Mr. Monsell.*] Do I understand you to say that the majority of people in Cork are, in your opinion, opposed to the measure recommended by this Bill?—I think the hours fixed in the Bill are too short.

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799. Have any petitions come from Cork on the subject to your knowledge?—I am not aware.

800. Was there not a petition last Session?—I am not aware.

801. I have understood that there was a petition, and that it was signed only by publicans, but you cannot say?—I should imagine that the publicans would be the persons most interested in the getting up of such a petition.

802. Do you really think that the majority of the working population of Cork would be opposed to a Bill of this kind?—Not to certain restrictions.

803. But you think they would be totally opposed to the total closing of public-houses on Sunday?—Certainly.

804. Mr. Murphy.] You are quite of opinion that it would be inconvenient, both for the purposes of the police, and for the purposes of enforcing any restriction intended to be enforced by this Bill, that intermittent hours of opening should be permitted on the Sunday?—Yes.

805. You think continuous hours would be better?—Yes; and I am speaking from a magisterial point of view.

Mr. ROBERT LINDSAY, called in; and Examined.

806. *Chairman.*] WILL you kindly inform the Committee what you are?—I am a Merchant and Manufacturer of Belfast.

807. You are also an alderman and magistrate of the borough, are you not?—I am.

808. Have you considered the question, either of the total or the partial closing of public-houses on the Sunday?—I have given the question a good deal of consideration.

809. What is your opinion upon the subject generally?—My opinion is that nothing short of the total closing of the public-houses on Sunday would be the right thing.

810. Are you also of opinion that that would be practicable?—I am of opinion that it is quite practicable.

811. Will you be kind enough to state your reasons?—Before I came away, I took the opportunity of obtaining from the police authorities every information which they could give me, both with regard to the effect of Sunday drinking generally, on crime, and on the peace of the community, and also with regard to the means whereby a restraining law if passed, could be carried out. I should think it would be well if the Committee would allow me to read, for their information, what certain members of the Belfast police force have conveyed to me.

812. Will you be kind enough to do so?—In the first place I would hand in a verified report, for the years 1865 and 1866, showing the number of parties arrested for drunkenness in the borough, and the number of parties arrested in the borough for being drunk and disorderly, and the number of parties arrested for all other offences put together. The general result of that report is this, that for the year 1865, there were 3,900 persons arrested for drunkenness, 5,044 persons arrested for being drunk and disorderly, and 1,339 persons arrested for all other offences put together. For the year 1866, there were 4,173 persons taken into custody for being drunk, 5,733 for being drunk and disorderly, 1,378 for all other offences. As there was not time to get this return made strictly accurate, it was taken on the principle of the weeks in each month, multiplying them into a total. Some of the weeks happen to be a little larger on the average, and hence the number of persons here quoted somewhat exceed the actual number, in one case by 862, and in the other case by 860; but practically speaking the tables show a precise result, making a necessary allowance for those reduced figures. As regards the effect on crime generally in the town, I would adduce

another instance. It will be in the recollection of the Committee that in 1864 very extensive riots occurred in Belfast; after they had gone on for a number of days the resident magistrates and the mayor together, issued an order for the total closing of the public-houses for two days, and they closed them at six o'clock for about a week on the other days. I have the mayor's testimony that the immediate effect of the closing for the two days on the rioting was very marked. I have here a return showing first the ordinary commitments for the week previous to that date, and then the commitments for the week in which the public-houses were thus closed; in the one case the total number of persons committed for drunkenness was 95, and for other offences 74. That was when the public-houses were opened. In the other case the total number of persons arrested for drunkenness was only 25, and for other offences 109; the latter being unduly large owing to riots not having ceased. I have also to state to the Committee that the total number of public-houses in Belfast with retail licenses attached is 535.

813. Mr. Monsell.] What is the population of Belfast?—About 150,000; the population is much larger than that of Cork.

814. Mr. Murphy.] What is the extent of area of the borough of Belfast?—It used to be about 1,200 acres, but when the borough was enlarged it was enlarged to something like 5,000 acres.

815. What is the distance from the centre of the town to the boundary of the borough?—The extreme distance would be a mile and a quarter.

816. Mr. Monsell.] Is that the Parliamentary boundary?—No, that is the municipal boundary; the Parliamentary boundary is much smaller. I have to state that of those 535 public-houses 146 are voluntarily closed the entire Sunday. Before I came away I had this document presented to me: "Sir, Understanding that you have been summoned to give evidence before a Committee of the House of Commons on the Sunday Closing Bill, we, the undersigned owners of public-houses in Belfast, beg to express our approval of a Bill for the total closing of public-houses on Sunday." I left yesterday about three o'clock, and this is signed by 23 or 24 people, and would have been signed by four times the number if time had permitted. In addition to these public-houses in Belfast there are 102 spirit grocers, and which, so far as drinking is concerned, are considered by the police authorities as more injurious than the public-houses.

817. *Chairman.*] Why so?—In the first place, they are entitled to keep open day and night for

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the entire week; they are called in Belfast night-houses, as distinguished from the regular public-houses. Their principal sale of drink commences after the public-houses are closed. They have the power by law of selling for consumption off the premises, but in fact what they do sell is mostly for consumption on the premises; and inasmuch as they are empowered under their license to keep spirits on the premises, unless the police succeed in discovering them in the very act of selling there can be no conviction. These night-houses keep a regular watch on the police, and by means of back doors opening frequently into open yards, if a policeman comes to the front door, whoever is inside is turned out into the common ground, and it is impossible to get proof. The police might bring up the parties thus turned out to give evidence, but they find, as a rule, that their evidence would not be reliable. I will hand in the resolutions agreed to at a very large public meeting held in the Ulster Hall on the 12th of March 1867. The meeting was one of the most influential that I have ever seen assembled in Belfast. The hall contains something like three thousand, and it was full to excess. There were at that meeting 19 ministers of various denominations, seven magistrates, with a very large representation of the corporation, and most of the leading merchants were more or less represented.

818. How many magistrates are there in Belfast altogether?—I suppose there are nearly 30, but very few of them reside in the town

819. How many ministers of religion are there?—I should say about 50; I gather that number from the published report; there might be others in the body of the meeting, and I have no doubt that there were, but those were on the platform. The first resolution was as follows: "Moved by the Rev. Doctor Cooke, and seconded by Rev. Robt. Hannay, that the common sale of intoxicating drinks on Sundays is unnecessary, opposed to the interests of morality and social order, and in direct opposition to the requirements of Christianity." Moved by Robert Lindsay, Esq.; seconded by W. L. Finlay, Esq.: "That this meeting hails with lively satisfaction the efforts now making for the removal of so great an abuse, and earnestly desiring they may be speedily crowned with success, pledges itself to accord to the movement an energetic and hearty support." The next resolution was appointing Alderman Lytle, J.P., James P. Corry, Esq., J.P., and the Honorary Secretary to form a deputation to London to wait on the Secretary of State with regard to the Bill then before Parliament on the subject. I hold in my hand another return showing the number of public-houses in the principal streets and thoroughfares of Belfast, as compared with the number of dwelling-houses in the same streets; in about 50 streets there are 364 public-houses opposite 3,199 dwelling-houses, or showing a public-house for every eight dwelling-houses and a fraction; these houses are in the leading streets and thoroughfares; there are altogether in Belfast 26,000 dwelling and other houses. Belfast is remarkable for the number of small separate houses which it contains; there are about 18,000 of such houses in Belfast under the annual value of 87. I may mention in addition that there is a public meeting held annually by what is called the Temperance League; it was held this year in the Ulster Hall, where the meeting was enormously large, and similar resolutions to those which I

have read were brought before the meeting and confirmed.

820. Mr. Monsell.] But the temperance people go further than you do, do they not?—The temperance people go further; I was listening to a question put to the last witness with reference to public opinion, and I would say this, that more than three-fourths of the inhabitants of Belfast would go for a measure to prevent the sale of drinks in any way on the Sabbath.

821. What data have you for giving that opinion?—My data for that is from general intercourse, and also from the numerous public meetings that I have attended, and from petitions presented, and in fact from the general feeling of the town.

822. Mr. Murphy.] You mean now the total closing of public-houses on Sundays?—Yes, the vast number would go for the total closing of the public-houses on Sunday altogether.

823. What portion?—That I cannot exactly state.

824. But a vast number?—Yes, a vast number. I will now give the testimony of Sub-Inspector Harvey, of the police, a most intelligent gentleman.

825. Chairman.] Is he the head of the police in Belfast?—He is second, but he, as I understand, takes charge of a special department, and is the head of that department.

826. Mr. Monsell.] How long has he been in this position?—He has been in Belfast from three to four years, but he has also been at Athlone and elsewhere, and knows the country districts well. He says, "By the extension of the open hours for drinking, from 9 till 11 o'clock p.m. on Sundays, drunkenness and immorality have been considerably increased. For example, numbers of young men from the surrounding towns, such as Lisburn, Carrickfergus, Newtownards, &c., come into Belfast on Sunday, intending to return by train, but by being induced or tempted to continue drinking till 11 o'clock, miss their train, and not getting home, are tempted to spend their night at improper houses, whereby their morals are hopelessly vitiated. The increase of these two hours has caused a great increase of disturbance; prior to the extension till 11 o'clock a man drinking was turned out at nine o'clock, and though half drunk would most probably go to his home, and so going would be ready for his work on Monday morning, but by being allowed the opportunity of drinking till 11 o'clock, would become quite intoxicated, and thus even if he went home, became quite unfitted for Monday's work. Young men entrapped into a public-house find it harder to leave at the later hour, and thus by degrees imbibe a fixed taste for drink. While I was on duty at Athlone, I found this to be the result."

827. Chairman.] That means that he was on duty at Athlone when the change occurred?—Yes. "When the police on Sunday evenings cleared out public-houses at nine o'clock, they found them much easier to be persuaded to go home than at 11 o'clock." I give further the testimony of Head Constable Porter, who says, "I consider intemperance has been largely increased by Sunday selling. A vast number would never drink at all were it not for their being idle on Sunday, and but for the temptation of going to the public-house to meet their neighbours, and to talk over the news of the week. The public-house, so far

this latter feature is concerned, may be called a poor man's news-room. Sunday closing would have the best possible effect on the working community. A great many of the public-houses (40) keep their houses closed all Sunday, and otherwise conduct themselves respectably. Three-fourths, however, of the entire number keep open the whole of the legal hours, and this class, as a rule, take every opportunity of making a sale during the prohibited hours. Many of these have back entrances made apparently for the purpose of enabling them to sell without detection; and where such entrances open out on common yards detection is impossible. Drinking on Sunday is largely the result of Saturday evening excess, the regular drunkard seeking on Sunday to continue his debauch. If public-houses were obliged to close at 6 to 8 o'clock on Saturday evening, it would greatly lessen the demand for drink on Sunday." He further goes on to say, that if public-houses were closed earlier on Saturday, it would lead to a much earlier closing of the smaller butchers, bakers, and grocers who now remain open till nearly 12 o'clock at night, and who find it to their profit to do so, from the increased facility which it gives them to sell inferior provisions and meat; he states that his experience is, that Sunday evening is the great time of sale for drink both in Belfast and country towns, the sale being quite as much as on the Saturday evenings; he states that the class who are taken into custody on Saturday and Sunday are mostly tradesmen, and in the case of women, prostitutes; when other women are taken into custody, they do not put them into the police cells to degrade them for ever, but take them to their homes; he also gives as a fact within his experience, that when the wages of working men are wasted by Saturday and Sunday drinking, the families are forced to buy their food on credit at much higher prices, and when they cannot get credit, it leads to begging and sometimes to stealing. He adds, that the spirit grocers and the beer houses exercise a most deplorable effect. I may say on my own account that, as employers, our firm have found great difficulty in restraining young men and other employés from drunkenness; we have found by experience that young men now getting free at 2 or 3 o'clock on Saturday, and having all their Sunday to themselves, their leisure time has proved a very great temptation to get into wrong habits.

828. *Chairman.*] You stated that in your judgment, three-fourths of the people in Belfast would be in favour of the total closing of public-houses on Sunday?—I think so.

829. Now what kind of statistical proof have you to produce to the Committee of that statement?—I could not give you any statistical proof of it; there has not been a house to house canvass made as yet; the only proof I could give you would be from personal communications and from the meetings to which I have referred, at which in no one case has there ever arisen any opposition.

830. There has been no meeting held in Belfast against the total closing of public-houses on Sunday?—No; there was an attempt made last year among the publicans to get up an opposition, but it broke down, for they were not able to agree among themselves.

831. And there was no meeting held?—No, none.

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832. Was that meeting in the the Ulster Hall an open meeting?—Yes.

833. Was it attended by large numbers of working people?—Yes; and there was no amendment, and no dissent whatever.

834. I believe that the Belfast people, when there is a difference of opinion, and they meet in the Ulster Hall, are apt to express that difference of opinion very plainly?—It would be rather a dangerous thing to hold such a meeting if there was a difference of opinion to any marked extent.

835. There have been petitions in favour of the total closing of public-houses on Sunday largely signed, from Belfast?—Yes, last year.

836. Has there been any petition against it, or against this Bill?—I never heard of any; if any, they were too trivial to attract public notice.

837. Not even the publicans have petitioned against it?—No.

838. I am right in saying you are not a Roman Catholic, I believe?—I am a Wesleyan.

839. Then can you certainly state that the feeling in favour of the closing of public-houses on Sunday is not confined to the Roman Catholic population of the north of Ireland?—I should say that a great many of the Roman Catholic population would regard Sunday closing as a boon, but that the feeling is not really so universal among them as it is among other religious bodies.

840. You think it is almost universal among the other religious bodies in the north?—Yes, they regard it as a violation of the Sabbath as well as with reference to the evil of drinking.

841. Do you think no inconvenience would be felt by the working classes from the total closing of public-houses on the Sunday, seeing that it would prevent their getting liquor to consume with their meals?—Not so far as I could imagine; in Ireland the population are altogether different in their habits from the similar class in England; beer or ale to dinner or supper is a very rare thing; I should say it is not so used by the middle or lower classes, except to a very infinitesimal extent; spirituous liquors are not used, or very rarely, at meals; in fact, I cannot conceive that any inconvenience would arise from the total closing of public-houses on Sunday.

842. Are there any classes of travellers, not people who are staying at hotels, but travellers from short distances, who would be inconvenienced by not getting refreshment on Sunday. I mean, do you think there is any considerable number of such persons?—I think not, and indeed I do not regard spirits as any refreshment.

843. But we are now speaking of beer as well as of spirits?—Beer is mostly used by the better classes as a dinner beverage, and of course they do not send to the public-houses on Sunday.

844. Then another objection has been raised to the effect, that it is the practice of the lower and lower middle classes of the inhabitants of Belfast to go out in the summer to the neighbourhood of Bangor to enjoy their Sundays, and that they would be inconvenienced by the closing of the public-houses?—There is always a class of young men who go out for pleasure on Sundays, but it amounts to certainly less than five per cent. on the whole population, perhaps not one per cent.

845. And you think that any people who do go out on Sundays to enjoy themselves with their families,

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Mr. *R. Lindsay.* families, would not feel it as a sensible grievance if the public-houses were not open?—I think not; but if they did, the number of such persons must be infinitesimally small. There may be one or two trains that go out on excursions in the morning, but as compared with the number of the population, they are so few as to be scarcely worth taking into account.

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846. I suppose you are pretty well acquainted with the country districts?—Yes.

847. Would your evidence apply more strongly to the country part than to the town?—In the country they are more sober than they are in the towns, and they are more in favour of the temperance movement.

848. Mr. *Monzell.* Do you think that there are great numbers of people who are not in practice very sober, but who are still anxious to have temptation removed out of their way?—Yes, and I think the duty of the Legislature would be to remove their temptation.

849. But, as a matter of fact, you think that there are many people who do not feel strong enough to resist temptation, and yet would be glad to see the public-houses closed, so that it is not only sober people, but people who were very much other than sober, who desire a Bill of this kind?—I can scarcely say what a confirmed drunkard would desire, but the sober and moderately sober would, as a rule, go for such a measure.

850. How does it come to pass that there are such a number of public-houses in Belfast; is there no kind of supervision exercised by the magistrates as to their numbers?—I should say that at one period the number of public-houses, even when the population was much smaller, was greater than it is now, but there was a public movement got up and persevered in for a number of years, which led the magistrates to limit very much the number of licenses issued.

851. And you say that there are fewer public-houses in Belfast now as compared with the population, than there used to be?—Fewer.

852. Mr. *Stacpoole.* Is the population of Belfast increasing more than the population of Dublin?—Yes; in ten times the ratio.

853. Mr. *Monzell.* Did you ask the opinion of Mr. Harvey with regard to the practical working of the closing of the public-houses on Sunday?—Yes; I asked both Mr. Harvey and Mr. Porter.

854. And what opinion did they return to you?—The law at present gives the police very great authority over the regularly licensed public-houses; they can enter them at any time, but the law is entirely defective with regard to the spirit grocers; these men can bear a fine, and they are seldom caught, and one night's sale of drink will make up the fine even if they are caught; the suggestion has been made by Mr. Harvey and Mr. Porter, that instead of a fine they should be imprisoned, for, say the second offence.

855. Do I understand you to say that Mr. Harvey is not in favour of the total closing of public-houses on Sunday?—He is entirely in favour of it.

856. Mr. *Pollard-Urquhart.* Is there any very considerable itinerant labouring population in Belfast and its vicinity?—I think not; the working men are mostly employed in the town.

857. For instance, people going to Lisburn and back again about their work?—No; if they

exist at all it must be to a very inappreciable extent; they could not afford to pay the railway fare to Lisburn.

858. But they might walk, might they not?—No, the distance is about eight English miles.

859. But taking the labouring population which goes from town to town in search of work, is that numerous?—It is quite the reverse; the attraction is all to the large towns, and not to the small ones.

860. Mr. *Cubitt.* You consider that if public-houses were closed in the evening, it would be a great improvement on the present system?—Any lessening of the hours for which public-houses are open, would be a great improvement.

861. But you would prefer the total closing of public-houses on Sunday?—Certainly.

862. Mr. *Stacpoole.* Would you, in fact, close the public-houses from eleven on Saturday night till six on Monday morning?—If I had the power, I would close them from eight on Saturday night till the Monday morning.

863. Mr. *Murphy.* You gave a very practical proof of the evasion of the law which that portion of the community called "spirit grocers" practise, and you gave us some very strong evidence to show how, notwithstanding the stringency, or the supposed stringency of the law, they nevertheless find means to evade it by means of back yards and common yards?—Yes.

864. That is a matter of fact; but now, supposing that, instead of what you conceive to be the best thing, namely, the total closing of the public-houses on Sunday, was not to be enacted by the Legislature, but that (as this Bill proposes) spirits were allowed to be sold on Sundays at certain hour, and that they should not be consumed on the premises, do you think that such an enactment would be totally inoperative to prevent excess in drinking where parties were determined to do it?—I think if you continue the power which the spirit grocers now possess, and do not put them under the same surveillance as the public-houses, the certain result of allowing them to sell for consumption off the premises would be practically carried out by sale for consumption upon the premises. After every inquiry, my own feeling is, that these spirit grocers licenses should be withdrawn; they are a mistake; if there are any public-houses allowed to be open at all, I would have them, on the present model, subject to the strict surveillance of the police.

865. The present law is this, that public-houses may be open on Sunday, not alone for the sale, but also for the consumption, of spirits on the premises?—Yes.

866. Do I understand you to say that you are of opinion that the surveillance of the police, under those circumstances, is a better safeguard than we should get by merely allowing the liquor to be sold for consumption off the premises?—I could conceive the spirit grocers being restricted to one or two hours of sale, and that if anybody for any purpose whatever was found on the premises at any other hour, it would greatly lessen the evil if we made that penal; but they are now under no restriction of a practical character, and they are enabled to carry out the sale of liquor to a most injurious extent. I am not prepared to state that they could not be put under proper surveillance and kept in order; I dare say they could.

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867. But supposing spirits were allowed to be sold at all on the Sunday, do you think it could be practically so ordered that the drink so sold should be prevented from being consumed, either on the premises or somewhere near the premises?—I think not entirely during the hours for which the public-houses would be opened. I think there would be an evasion of the law by all parties concerned.

868. You think that a Bill enacting that publicans should be allowed to sell spirits, but that the spirits so sold should not be consumed on the premises, could not practically be carried into effect?—I think it would be worthless for Ireland, and I do not think it would pay the public-houses to keep open for a couple of hours on Sunday for the mere purpose of selling liquor to be carried away.

869. I think you stated that three-fourths of the public-houses in Belfast were, in your opinion, in favour of total closing on Sunday?—Yes; and that out of 535 public-houses 146 were closed. That return was taken last Sunday by the police.

870. Does it strike you that whereas three-fourths of the people in Belfast are in favour of total closing on Sunday, so strong an amount of public opinion ought to have produced a greater effect?—I think the temptation to make money demoralises the publican, and that therefore he is not amenable to public opinion like other people, and hence many of them keep open who ought not to keep open.

871. The public meeting which you mention as having been held at the Ulster Hall was attended, I presume, only by parties who were in favour of the object of that meeting?—I should say that was the case, but still everybody had had an opportunity of attending, and moving an amendment.

872. But in fact nobody went there who did not agree with the purpose of the meeting, I suppose?—It was perfectly and enthusiastically unanimous. If there were any persons who did not agree with the object of the meeting they did not make it known.

873. Mr. *Stacpoole*.] It was a public meeting, was it?—Yes.

874. People were not admitted by tickets?—No; the mayor was to have been in the chair, but a sudden Parliamentary call brought him to London, and his place was supplied by a magistrate.

875. Mr. *Murphy*.] Is it your opinion that if persons were permitted for a limited time on Sunday to consume the liquor they had bought in a place where the police could enter at all hours, that would be a better state of things than would result from the prevention of consumption on the premises, because that might possibly lead to the establishment of private places of resort for consuming the liquor bought at the public-house, into which places of private resort the police could not enter; do you think it likely that a custom of that kind would grow up?—I have no doubt that no law would altogether prevent shebeen-houses, but I think that if the Legislature were to award imprisonment for offences of that character, the town would soon become too hot to hold the offenders.

876. But I am presuming that no offence against the law would be committed; that the liquor would be bought at the public-house for consumption off the premises, and then taken to

some other place near, or adjoining the public-house for consumption in a way over which the police would have no surveillance whatever?—I do not think that would follow as a result; I do not think that there would be separate and private houses got up for drinking spirits bought at the public-house during the open hours.

877. Suppose the proprietor of a public-house who would by this Bill be permitted to sell any quantity of spirituous liquor during certain hours, took a house next door, and got back the rent of the house by setting it out in lodgings by the year, or by the week, but reserved one room into which persons could go for the purpose of drinking liquors bought at his place on Sunday, would not that lead to exactly the same results as drinking in the tap-room would under the present system?—I think that would be illegal; that would not be a club.

878. But suppose that it was not illegal?—I have not a doubt but that if it was permitted by law, and that the publican's house was closed against the consumer, and the buyer could carry out the consumption next door, he would do so; I have not the slightest doubt that that would be the case.

879. Major *Gavin*.] May I ask you whether the spirit grocers do not sell tea and coffee and sugar?—As a rule, perhaps, 5 per cent. of the whole of them do it; parties do sell tea and coffee, but it is more as a blind than anything else, for the shops are really public-houses; persons who cannot get a regular license owing to their character, or the character of the premises, go to the Excise, and there, without any reference to character, they can command a license by paying 10 l.

880. In my town the grocers are generally men of high position?—Yes, but men of high position with us take out a retail license, not a spirit grocer's license, such as respectable grocers, for example, do.

881. Do they sell on Sundays?—Oh dear no; I do not at all include that class of men or of firms of respectability and position in what I said.

882. Your evidence would go to this, that spirit grocers generally are much inferior as a class to the class of publicans?—Yes, quite inferior in standing and in character.

883. Are you a teetotaler?—I am not a practical teetotaler, but I am pretty near to it.

884. Mr. *Murphy*.] Did I understand you to say that the spirit grocers have the power of keeping open at all hours of the night?—Yes, that is what has been stated to me by the police authorities.

885. Major *Gavin*.] I think you stated that there were 535 public-houses in Belfast?—Yes.

886. And that 146 voluntarily closed their houses on Sunday?—Yes, that was the case last Sunday.

887. Do you suppose that that 146 sacrifice a good deal of money and trade by so closing?—I have not the least doubt that they do sacrifice a good deal by closing.

888. I suppose that those 146 that voluntarily close on Sunday are a higher class of men than the rest?—They are men who have a moral objection to keeping open on the Sabbath day.

889. You stated afterwards that in a certain part of the town there was one public-house to every eight dwelling houses?—Yes, eight and a fraction, in the main thoroughfares of the town.

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890. Is the trade in general a thriving trade in Belfast?—Yes, the trade is a thriving one, which is proved by the fact that a person when he puts up his license to sale always commands a large price.

891. More than the original price?—Twenty times the original price; a public-house with a license may bring 200*l.* premium; sometimes much more.

892. Do you mean to say that the magistrates would allow a publican to transfer his license to any one?—They insist on a house having a certain character, possessing certain accommodation, and being in a locality which they think reasonably requires a house; they look at the man's personal character, and if there are not sufficient public-houses in the neighbourhood they give him a license; if a man sells his license to another man of good character they will transfer it.

893. They look into the character of the second man, in fact?—Yes; at present the principal licenses are granted by the Recorder; the magistrates for the borough have no voice so far as the Recorder's Court is concerned; at the quarter sessions for the county they have the right; but as the court of the Recorder sits three times as often, the principal licenses are granted by him.

894. In the event of a publican selling his license, have the borough magistrates no power over it?—The borough magistrates have no power over it at all; the sole power lies in the Recorder's hands; under the Act of Parliament he is the sole judge; I may say practically that the sale is not prevented; it does not form any hindrance, provided the party buying is of equally good character with the party selling.

895. Suppose a man came from Cork to Belfast with plenty of money in his pocket, do you think he could obtain a license in Belfast at once?—As far as I know, the Recorder takes great pains in visiting the premises and making inquiries with regard to the character of the new man, and if it is not good he refuses the license.

896. Suppose such a man as I have spoken of came from Cork and went to the Recorder, do you suppose that he would get a license?—It is the duty of the police to make inquiries about each applicant; on the licensing day the report is handed to the Bench, and the Bench are more or less guided by what the police say. The buyer buys at his own risk; these licenses are very often sold by auction; there is no certainty that the buyer will get the license, for it is all at the option of the Recorder or of the magistrates.

897. Do you mean to say that the buyer buys the license whether he will be able to make use of it or not?—Certainly, and yet they bring these premium prices.

898. You think that if the total closing of public-houses on Sunday were carried out, three-fourths of the people in Belfast would not be discontented?—I feel satisfied that I might give even a larger number, but I do not want to appear to overstate the case.

899. Mr. Cubitt.] I suppose all the large warehouses and manufactories are closed on Sunday in Belfast?—Yes, all of them, all the trades but this one of the public-houses and the medical establishments.

900. Are those public-houses which are closed on the Sunday many of them in the immediate neighbourhood of large places of business, which are also shut up on Sunday?—I think they are

fairly scattered throughout the town. I do not think that the fact arises from any such proximity. I think it is of the purely personal choice of the owners.

901. Do you know public-houses which are closed in the immediate neighbourhood of the dwellings of the labouring classes?—I know one in particular on the quay where the Sunday trade would naturally be valuable, and the man closes from principle.

902. Mr. Pollard-Urquhart.] Suppose an Act of Parliament were passed for the total closing of public-houses from eight on Saturday evening till Monday morning, do you think it would be possible to relax that Act in favour of travellers?—The only mode of relaxation that could be worked would, I think, be this, namely, that if the public-houses were to close on the Sunday, that would give rise to the opening of refreshment places where people could get tea and coffee. We have a very large concern or two of that kind in Belfast, where a vast number of people go, and where there are no intoxicating liquors whatever sold; and I could conceive that if the sale of intoxicating liquors were restricted on Sunday it would lead to the establishment of this other class of house.

903. It has been suggested by another Witness that if a restrictive Bill were passed, the owner of a public-house might give refreshment to a person calling himself a traveller if he produced a certificate from the constabulary that he was a *bonâ fide* traveller; do you think such a relaxation as that would be liable in working to such abuse?—I have noticed that clause of the Act, and have read discussions upon it, and I fear that it would be evaded unless it were made more definite; I mean the clause which relates to the taking a *bonâ fide* meal.

904. But is there any clause in the Bill enacting that the *bonâ fide* traveller should obtain a certificate from the police; there is no such clause, is there?—No.

905. But suppose such a clause were inserted, do you think it would be possible to work it without the risk of a considerable amount of imposition being practised?—I do not think it could.

906. Mr. Stacpoole.] Do you know of any person having applied to the Recorder for a license, and on his being refused by the Recorder applying to the magistrates, and the magistrates granting him one?—No; but I know this, that the same parties apply very often four or five times, court day after court day; they go to the Recorder, and if he refuses, they go to the quarter sessions; then if they are refused there they go to the Recorder again, and in most instances they succeed at last.

907. Do you know of any cases in which persons have applied for a license for the purpose of selling it afterwards?—No, that might occur, but I am not cognizant of the fact.

908. Mr. Murphy.] You say that the owners of these 146 houses which are closed on Sunday have closed them, you think, out of principle?—Yes.

909. Not with reference to any particular locality?—Just so.

910. Are you prepared to tell me, as a matter of fact, whether those 146 houses are principally situated in the immediate neighbourhood of manufactories and such large concerns, or whether they are in the midst of the neighbourhoods of the lower classes of the population?—I should say they were scattered all over the town, we have not any great

great locality where our manufactories are alone situated; the large manufactories are pretty evenly scattered over the town.

911. But can you, or can you not, say as a matter of fact, whether these closed houses are in the immediate vicinity of any of those manufactories which you say are scattered over the town?—Yes, some of them are, because the manufactories are everywhere.

912. But of those 146 public-houses which are closed on Sunday, is it the larger or the smaller proportion which is in the immediate vicinity of those manufactories?—I should say that the closing was utterly irrespective of the locality.

913. But my question relates to a matter of fact; are those houses near or not near to the manufactories?—I think a great many of them would be near, and a great many of them would not be near.

914. You have stated that in your opinion it would be very difficult indeed to enforce the observance of the non-consumption of drink on Sunday in eating-houses?—Yes; I think the clause in the Bill which I have read is indefinite and capable of being evaded.

915. As a matter of fact, if the eating-houses were open, would people not have the same facilities for drinking liquor there that they have in tap-rooms now?—Yes, they would; in some oyster shops where they have not a license, they are in the habit of sending out for liquor and consuming it in the oyster house, and I can well conceive that the same thing might occur in an eating-house.

916. But I am assuming that the eating houses are permitted to sell any quantity of liquor they like for the entire day; do you think that if that is done, the mere restriction upon the consumption of liquor in the public-house will be of any use whatever?—It is to me rather a new question; we have no eating-houses of that character in Belfast; we have not eating-houses which possess a license to sell spirits.

917. But I presume that you have some eating-houses; what would be your opinion?—I am inclined to think that drunkards will always do their best to get whisky when they can manage it.

918. Mr. *Stacpoole*.] Do you think it would be better to have the power of granting licenses in one court, instead of its being in the power of both the Recorder and the magistrates?—I think it would be better to have it in one court; in Dublin there is only one court, but in Belfast we are a separate borough.

919. What court would you prefer for the purpose in question; the court of the assisting barrister or the court of the Recorder?—The court of the Recorder, I think, on the whole; I know as a matter of fact, that in the case of the magistrates, both direct and indirect influence are brought to bear upon them for the purpose of influencing the granting of licenses to certain parties.

920. Sir *Graham Montgomery*.] With respect to eating-houses being licensed for the purpose of drink, do you think that if they had a license to sell beer and not spirituous liquors, that that would work well on Sundays?—The sale of beer would be quite harmless as compared with the sale of whisky.

921. But do you not think that if they were allowed to sell beer, they would sell whisky clandestinely under cover of selling beer?—I do not think that if the police gave proper surveillance they could sell whisky to any extent, because if it were drunk on the premises, the keepers of the houses would be fineable.

922. Do you think that it would be to any extent felt to be a hardship among the mechanics and labourers in Belfast, that they should be deprived of a pleasant and cheering beverage on Sunday?—I think it would be the greatest possible boon to them to be so deprived; any one worth a thought among the labouring classes who desired to use a stimulant on Sunday would get it in during the week for family use, where it would always be used to a very infinitesimal extent under the moral safeguards of family life.

923. Are you in favour rather of the total closing of all public-houses on Sunday than of the permission to sell anything in the shape of intoxicating drink?—I am in favour of the total closing of public-houses on Sunday; I cannot conceive why a baker or a butcher should not be permitted to keep open his shop, seeing that he sells what may be wanted by the working classes; if the whisky house is to be kept open I think it is a great practical inconsistency.

924. *Chairman*.] If a man had a license for every day in the week for both beer and whisky, would it not be very difficult for the police to find him out, if on Sunday he sold whisky under cover of the beer?—I would not allow a class of houses to best up for the sale of liquors under the name of refreshment houses.

925. Mr. *Stacpoole*.] Do you think that the working people would set up Sunday clubs for the purpose of drinking if the public-houses were closed?—I do not.

Mr. JOHN CHARLES O'DONNELL, called in; and Examined.

926. *Chairman*.] You are a resident magistrate in Belfast, are you not?—I am.

927. How long have you been stationed as a resident magistrate in Belfast?—About three and-a-half years, since August 1864.

928. Have you seen a good deal of the results of drinking on Sunday night?—I have had a great deal of experience during that time.

929. Can you confirm what the other witnesses have stated, namely, that the drinking cases on Monday morning are more numerous than for any other two days of the week?—I have not had the advantage of hearing what other witnesses

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have stated, but I will give my own experience. On Monday morning it is generally my lot in court to discharge the dock as it is called; on that day, certainly, the number of persons taken up for street offences and drunkenness is at least treble what it would be on any other day; and the greater number of persons taken up for drunkenness or disorderly conduct are generally made prisoners after nine o'clock on Saturday night, and from that until six on the morning of Sunday.

930. Are there large numbers arrested on Sunday evening?—Not nearly so many as on the

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Saturday

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Saturday evenings. On Saturday evenings the working people are paid, and they go about the streets to make their purchases, and they generally wind up the evening in the public-house. On Sunday they have no purchases to make, and besides, perhaps the money may be exhausted.

931. But many people who drink hard on the Saturday night, go again to the public-house on Sunday to drink, do they not?—Yes, as a rule, that is the case, perhaps, but they have not the same facilities on the Sunday mornings as they had on Saturday, because the houses are not open till two o'clock.

932. Have you considered the question of stopping the sale of intoxicating liquors on Sunday?—Not very particularly, but I have considered it as a matter of general interest.

933. Have you heard the subject a good deal discussed in Belfast?—Yes.

934. What is your opinion as to its desirability and practicability?—I am of opinion that it would be very desirable at all events to shorten the hours for which the public-houses are at present open; at present they are open up to 11 o'clock on Sunday, whereas my opinion would be that it should be shortened to one hour, and then that the sale should be confined to liquors not to be consumed on the premises.

935. What hours would you be inclined to fix as the best?—Of course, it should be after divine service, say from two to three, or from three to four.

936. The greatest temptation to the working man on Sunday, is from finding a public-house open just after he comes out of his place of worship, so that two to three would perhaps be an objectionable hour?—But I would not allow the drink to be consumed on the premises. I would have them open for an hour so that families could send and fetch away their beer for consumption at home.

937. But would it not be better to have the time fixed at from three to four, or from two to three, and that for the reason which I have given?—I do not think it would make much difference whether it was from two to three, from three to four, or from four to five.

938. From your experience of Belfast, do you think that one hour would suffice for the reasonable wants and wishes of the population?—Yes, but I would suggest a further restriction, namely, that the public-houses should be closed at nine o'clock on Saturday evening, for in my experience it is after that hour that the greatest number of cases of drunkenness occur.

939. You know that in the Bill which we are now considering, it is proposed to open the public-houses for the sale of liquors, not to be consumed on the premises, from two until four, and from seven until eight in the evening; do you think there is any necessity for that second opening of the public-houses in the evening?—I do not think there is.

940. I believe this Bill as it is drawn, follows the example of the English Bill, which provides for the sale of beer for the supper of the working men, but owing to the difference in the habits of the people in the two countries, such a provision is not needed for the people in Ireland, is it?—No, but I should be afraid that to close the public-houses altogether would create some dissatisfaction among the lower classes of the people.

941. Do you think that there would be any practical difficulty in carrying out that distinction of consumption on the premises, and consumption off the premises?—It would require great vigilance on the part of the police; the proof of that is this: the houses of the spirit grocers which are already in existence, are not allowed by law to sell for consumption upon the premises, and yet they do it, although they are liable to forfeiture of license which costs 10 l. or 12 l., and I think a penalty of 2 l. besides.

942. Do you think it would be desirable to make that distinction?—Yes.

943. It has been suggested that a man who wished to drink in a public-house, finding he could not take the drink on the premises, would with other men club together to hire an empty room, and take the drink into that room to have a carouse; now do you think it would be worth a publican's while to arrange with the owner of a neighbouring house, that people who had bought liquor in his public-house, might meet in his room which would then become a worse kind of tap-room?—To some extent that practice does even now exist, but those who club together in that sort of way, are the very lowest portion of the population; no decent tradesmen would be found to do that.

944. You do not think that that evil would be an extensive evil if it arose?—I think not.

945. Do you think there is any large class of working men or small tradesmen or persons employed in shops, who go to eating-houses for their meals on Sunday, and would feel it any hardship if those houses were not open for the sale of drink?—I think there is no large number of the artizan class in Belfast who answer to that description, but I think there are young men in drapery houses and linen warehouses who do.

946. Do you think that class of young men would feel it a hardship?—I do not think they would; besides, the eating-houses are open on Sundays the same as hotels.

947. But we are supposing that the sale of drink in eating-houses was put on the same footing as the sale of drink in the public-houses?—I would not myself deprive the eating-houses of the privilege of selling drink on Sundays; my restriction would merely go to the public-house where nothing is sold but drink.

948. Then your view is embodied in the second clause of the proviso in the Bill before the Committee, "That where any person *bonâ fide* carries on as his ordinary daily trade the business of an eating-house keeper, nothing in this Act contained shall prevent such person from selling, or from suffering to be consumed, in the same manner as he might if this Act had not passed, any meat or other victuals for consumption on the premises, or any fermented or distilled liquors for consumption on the premises with such victuals by persons who *bonâ fide* have purchased any such meat or other victuals;" that is what you contemplate, is it?—Yes.

949. But this objection has been made to that clause, namely, that if the exemption is left standing, then, while public-houses were closed, a large class of houses would spring up, which though nominally eating-houses were places where a man would, on the plea of purchasing a biscuit, be enabled to get as much whiskey as he liked, and consume it there?—But I think the control exercised under the licensing system is such, that that difficulty would not arise; persons who indulged

indulged in such practices would find it very hard to get their licenses renewed.

950. You think that the police opposing the license would be a sufficient check upon that?—I do; the magistrates and chairmen of quarter sessions, who grant the licenses, make the strictest inquiry into every man's character, the style of his house, the valuation of it, the locality, and so on.

951. You think that if a man set up a nominal eating-house, in order really to retail whiskey, and said to his customers, if you will nominally take a plate of beef which you shall not pay for, and which shall be passed on to the next person, in such a case the police would be able to give such evidence as would induce the stopping of the man's license?—Yes.

952. Then you think the distinction between eating-houses and public-houses could be really carried out?—Certainly; if the restriction were to be extended to all eating-houses, I do not see how hotels could be kept open.

953. But it would not apply to persons residing in hotels on the Sunday?—But it very often happens that persons go to hotels to dine on the Sunday, and I am afraid the restriction, if it were extended to eating-houses, would be a very invidious one; I do not think it would be liked.

954. Do you think there is any large class of travellers who would be inconvenienced if they could not get intoxicating drink on Sunday?—No, I think not; in Belfast there are very few travellers on Sunday.

955. And in particular few of the working classes who are travellers, I suppose?—People who want to drink would of course seek to make themselves out travellers, but I would not call a man who had travelled six or eight miles a traveller.

956. Do you think there is any *bonâ fide* class of men in Dublin, in any number, who are away from their own houses?—There is not.

957. Your experience of Ireland is not confined to Belfast, I believe?—It is not; I have had some considerable experience in the county of Limerick as a magistrate, and some experience in county Cavan, but not much.

958. Not since the closing of public-houses on Sunday by the Roman Catholic Archbishops?—No; upon that subject I may say that there was a great effort made years ago in Belfast by the Roman Catholic clergy, and I am told a very successful one, to check the spread of drunkenness. They have not done anything in public, nor taken any steps to close public-houses by moral means, but I believe the efforts they made were very successful.

959. But it would be impossible for the Roman Catholic clergy to close public-houses in a town like Belfast, although they have done it in other districts, I suppose?—Quite impossible; Belfast contains a community of so many different religious persuasions, and it would not be fair to ask one set of persons to close their houses while the others kept open.

960. It would not be fair to the Roman Catholic publicans to compel them to close on Sunday, while other publicans kept open, for example?—No; and I doubt whether the bishops would succeed in carrying the thing out.

961. Does your experience extend very much to the town of Limerick?—Not very much to the town of Limerick.

962. Do you not think that it would be still

easier to check the sale of drink on Sundays in country districts than it is in large towns?—Much easier.

963. Would there be any difficulty in checking the sale of intoxicating drinks altogether in a purely rural district?—The houses in a purely rural district are so isolated that they are not sufficiently under the supervision of the police.

964. But is there any habit among the rural populations of going to a public-house to buy beer for consumption in the family on a Sunday?—No; there is nothing of the kind.

965. In fact in such districts a public-house is a mere temptation?—Just so; nor is beer consumed at home in Ireland to the extent that it is in England; in England all the artisan class drink with their meals, but in Ireland it is rather a treat than a matter of every-day usage.

966. Would there then be any difficulty in stopping the sale of intoxicating drinks on Sunday in rural districts?—I think not.

967. Or any objection to doing it on the part of the people themselves?—Not much, I think.

968. Do you think it would lead to the illicit sale of spirits to any great extent?—I think not.

969. In Roman Catholic districts, I suppose, with the support of the clergy, a restraining law would be thoroughly well enforced?—I feel sure that it would. In Roman Catholic districts, after mass is over on Sunday the people lounge about in the neighbourhood of the chapel or the church in the village till the public-houses are open; if there was no public-house open those people would go home straight, instead of staying to get drink.

970. And if it was considered necessary to allow the public-houses to be open for one or two hours in the course of the day, would it not be very desirable that the hours should not be such as would fall immediately after Divine service was over; do you not think from three to four, for instance, would be better than from one to two?—I do not see that it would make any difference if the drink were not to be consumed on the premises.

971. But if the drink was to be consumed on the premises, do you not think a great number of people would go home instead of waiting to get it, if they knew they would have to wait a couple of hours before the public-houses would be opened?—I think they would. I suppose the Committee have already been informed of the number of public-houses in Belfast; there are 537 in one district of the town, and 28 in another; that includes Ballymacarrett. It is very customary with applicants, when they ask for a license at quarter sessions, to promise not to open on Sundays, but I have known people who have made that promise keep the front door shut and let the customers go in slyly at the back. The Committee asked some questions of the last witness with regard to the system of giving licenses. The plan is to make an application to the magistrates, who are presided over by the chairman of the county at quarter sessions; but another system has also been introduced since the Recorder has been appointed to the borough; but it is quite an anomalous state of things, and for this reason, that the Recorder holds the double office of Recorder and chairman of quarter sessions, and when he sits as Recorder, he is the sole judge of the propriety of granting or refusing a license; but the same judge, Mr. Otway, presides at another Court, assisted by the magistrates, and his decision

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973. Do the bench of magistrates override his decision within his own jurisdiction?—They have the power of doing it, because when he sits as chairman of quarter sessions, he takes in a larger ambit.

974. Sir *Graham Montgomery*.] What proportion of the cases of committals for drunkenness which come before you on Monday morning are assignable to Saturday night, do you think?—The average number of prisoners on Monday morning varies from 60 to 70; on other mornings it is about 20 or 30; and out of the 60 or 70 persons who come before me on Monday morning, I should say two-thirds would be taken up on the Saturday night, and one-third on the Sunday; that is only an approximation, but it is very near the truth.

975. I believe the police have not now the power of taking up a prisoner on Sunday morning?—It is not done, and I believe it is illegal; but I have often attended at the police-house if there was any overcrowding, or any old or sick person, or anything of that kind, and in my discretion I have discharged that person, either unconditionally, or binding him to appear on the following day.

976. Do you think it would be considered a great hardship if the sale of liquor was restricted on Saturday evening when working men have just received their wages?—I do not know. The early closing movement releases men from their work earlier, and many mills and warehouses are shut at two o’clock and others at four, and between that and nine o’clock there is surely long enough for men to drink. I think, in fact, that the temptation on Saturday evening is so great that it would be desirable to shut the public-houses early.

977. With regard to travellers, are there not a great many people on Sundays who go out to Holywood or Bangor?—Yes, a great many take those excursions.

978. Do you think they would not in any way feel it a hardship if they could not find a place open at which to get some cheering beverage?—They could easily provide it the night before and take it with them; and indeed when they do get to Holywood, which is a very pretty village, the excursionists do not reflect much credit upon it, because their conduct in the public-houses is sometimes very bad; they are crowded up there in a close atmosphere, instead of taking a walk and enjoying the very pretty country.

979. You think the very fact of there being so many tourists would be rather an additional reason for closing the public-houses on Sunday?—Yes, and if you go along the highways you find an amount of furious driving sometimes that is dangerous to life.

980. I think you stated that some travellers and other persons went to eating-houses on Sundays to dine and get refreshments; do you think they would find it a hardship if they were not able to do so?—I would not suggest to the Committee that the restriction should at all be extended to those houses which are *bonâ fide* eating-houses.

981. Mr. *Pollard-Urquhart*.] Supposing a Sunday Closing Act to be passed with some re-

laxation in it in favour of travellers, do you think you could trust the police to decide who were *bonâ fide* travellers and who were not?—It would be very hard for the police to do that.

982. Do you think they could not very well carry out that duty in a large town like Belfast?—It would be very difficult for them to do so; the word “traveller” is open to a wide interpretation.

983. Mr. *Cubitt*.] Is there anything special in the situation of those public-houses which are closed on Sunday in Belfast; I mean anything special in their situation which would account for the fact of their closing?—No, I think not; it may be from the views of the people themselves.

984. Are they near great factories or anything of that kind?—No; it may be either from religious or other motives that they are closed.

985. I understand you to say that you think a considerable restriction might be made without either inconvenience or disturbance; do you think that one hour only would be sufficient for the public-houses to remain open on Sundays?—Yes; I do not think the public-houses ought to be altogether closed; it might be one hour or two hours for which they were kept open; I would not restrict my opinion to one hour.

986. You think, however, they might be closed for the whole evening after 6 o’clock without inconvenience?—Certainly.

987. Mr. *Stacpoole*.] The Recordership of Belfast is a new office, is it not?—Yes; the office was instituted about last January twelvemonth.

988. Supposing the Recordership fell vacant, does it follow that the chairman would be appointed Recorder, or might there still be two officials?—It does not at all follow that the same officer should hold both offices; the office was instituted at the instance of the Town Council upon a memorial from the Lord Lieutenant. At the time that the Recorder was appointed there were a number of gentlemen in or near the town in high commercial positions who were also appointed to the commission of the peace, one of them being the last witness, Mr. Lindsay.

989. And they have no power whatever in the Recorder’s court?—None; the Act is very clear that he is the sole judge in that court.

990. Mr. *Murphy*.] Are you aware that the object of this Bill is to restrict the hours for the sale of intoxicating drink on Sunday?—Yes.

991. But it allows spirits to be sold at certain hours, though they are not to be consumed on the premises?—Yes.

992. From your knowledge of the habits of town population, such as those of Belfast and Limerick for instance, do you think it would be practicable to allow spirits to be sold in any quantities from two to four, and from eight to nine on Sundays, and to prevent those spirits from being consumed on the premises by a great number of people?—I think spirits would be consumed to some extent, notwithstanding the utmost vigilance of the police as is now done at spirit grocers, but the restriction itself would materially check the vice of intemperance.

993. But suppose that a publican were allowed to sell intoxicating drinks, and was nominally not allowed to have them consumed on the premises, do you think that if he found it his interest to do so, there would be any great difficulty in his taking a house near the public-house, letting it out for lodgings in the course of the year, and keeping a room open there into which parties could

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could go and sit down just as they could in his tap-room, and drink as much liquor as they liked after having bought it at his public-house?—I should hardly anticipate that such a thing as that would be done.

994. Why, if the publican found it his interest to do so, should he not institute another tap-room next door?—The only check on him would be, that his license would not be renewed.

995. That is another affair, but is it not possible that the thing should be done?—No doubt, any abuse of the kind is possible; but I do not think it likely to take place, at least not to any large extent.

996. Why not, when there is no law to prevent it?—I do not think it would be likely to be an extensive evil.

997. If the law allowed the drink to be sold and taken away for consumption, why should a publican's license be taken away if he were to do such a thing as we are speaking about?—They do not do it now before two o'clock on Sunday morning.

998. But they can go in and sit down now in the tap-room of the public-house on Sunday?—After two o'clock.

999. Do you not think that such an abuse as I have suggested would be likely to arise?—It would be possible, but it does not arise now among the spirit grocers.

1000. But parties can now go into a tap-room and drink as much as they like?—Yes; the spirit grocers keep open all night.

1001. A former witness gave it in evidence that though the spirit grocers were prohibited from allowing liquors to be sold on the premises the law was evaded?—Yes, but it is difficult to get the offence proved; "harbouring" is only a case for suspicion, and the spirit grocers, if they are summoned, bring up the persons who have been harboured, to say that they have not had any drink.

1002. Under the present state of the law a publican can sell spirits for consumption in his own tap-room, but supposing that the law forbade that, and yet allowed the drink to be taken away to be consumed elsewhere, do you not think that the practice which I have just referred to might spring up, of affording the same facilities away from the premises, but near them, as are afforded in the tap-room?—No doubt it is possible.

1003. Do you not in fact think it likely that if the Sunday tap-room was suppressed, a surreptitious tap-room would spring up in the place of it?—No, not to any extent; there are places of the kind now, which are known to the police.

1004. But the police would have no right to enter the kind of place of which I speak, while the public-house is open to the supervision of the police, while the house is open?—Yes.

1005. And that is to some extent a check upon what goes on in public-houses?—Yes, no doubt.

1006. But supposing the same consumption of drinks took place in a neighbouring tap-room or house, and that the police had not the right to enter, do you not think that that would be a worse state of things than exist at present?—I do not think it would be worse.

1007. Do you not think it would be as bad?—Scarcely; to say that would be in fact to stop all manner of entertainment among those people.

1008. But this Bill proposes to prevent any entertainment taking place in a public-house at 0.55.

all?—Yes; but the case you put is similar to the case of having one's friends in a private house, and I do not see how it is possible to restrict that.

1009. Then supposing that a number of people got a room next door to the public-house into which they could go and sit down, and suppose they could obtain any quantity of drink from the public-house, would they not be in precisely the same position as if they went into the tap-room?—Yes, but I do not think such associations would be frequent or likely to occur.

1010. But it would be quite possible to have that done?—No doubt.

1011. Major *Gavin*.] Do you know whether it is at all the habit in Belfast for people to take beer or spirits home on Saturday, for the purpose of consuming it with their own families on Sunday?—I do not know what their habit is.

1012. A previous witness said that there were 146 houses in Belfast that were voluntarily closed on Sundays, do you think that those publicans who close on Sundays are a better description of men?—Decidedly a better class; the people are better disposed, and are in a better position, and I believe most of them are people who carry on other trades, which makes them more independent of the profits of the public-houses.

1013. Do you know whether what they call spirit grocers do generally sell tea, sugar, and coffee?—They are supposed to do it, and I suppose they do.

1014. You would not recommend the entire closing of the houses which sell tea, coffee, and sugar on Sunday?—I would.

1015. Then you are an advocate for the entire closing of the spirit grocers' houses on Sunday as well as the public-houses?—Yes.

1016. You stated that you thought that the total closing of public-houses on Sunday could easily be arranged in the country districts?—In the country districts, yes.

1017. Do you think you could easily arrange to the satisfaction of the people the closing of the public-houses in Kilmallock?—I do not suppose it would be perfectly satisfactory to the publicans.

1018. But take the people in Ireland generally, what should you say?—I think a great number of them would be well satisfied in that district with the total closing of public-houses on Sunday.

1019. Do you really think it could be done without much difficulty?—I do.

1020. You know that it is done in Wexford and Tipperary?—Yes, by the moral influence of the clergy.

1021. Do you think that in Kilmallock a Bill such as this before the Committee, would have more effect than the moral influence of the clergy?—I should say it would exercise much more power certainly.

1022. If you had the charge of that district, which would you prefer, that the moral influence of the clergy should do all it could to close the public-houses on Sunday, or that this Bill should be passed?—I should decidedly prefer the help of the law.

1023. *Chairman*.] Let me follow up that question by another; would you rather have both than either?—Yes, the moral influence of the clergy would be very valuable.

1024. Major *Gavin*.] We have evidence that in many instances the moral influence of the clergy has done what is necessary, and there have

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have been no breaches of the Sunday Temperance Law, but you think the police would have some difficulty in carrying out this Bill?—There is scarcely a district in Ireland where moral influence would altogether succeed, for though there may be a great many cases where there are people who are willing to submit to moral influence, others may be very stiff-necked.

1025. We have had evidence before us to this effect, that in a town where there is a population of 5,000 people, the magistrates for 11 months never saw a drunken man or woman on Sunday; are you aware that that has been done?—In the beginning of my evidence allusion was made to that influence being exercised in Belfast, and I gave it as my opinion that it would utterly fail there, because of the diversity of religious sentiment in different communities.

1026. But in Kilmallock there is not that diversity?—Probably they are all of one persuasion, with the exception of half-a-dozen people. I know that the clergy in that parish have great influence, but I doubt that they would succeed in inducing people to close public-houses on Sunday.

1027. Mr. *Murphy*.] You stated that the average number of prisoners brought up on Monday mornings was 60 or 70, and that of those, two-thirds have been committed for Saturday night drinking?—Yes, about that proportion.

1028. Of course the reason why only one-third were committed for Sunday drinking, was that the hours for which the public-houses are open are limited on Sunday?—Yes.

1029. The hours are from 2 to 11?—Yes.

1030. Are you clearly of opinion then, that if the hours on Saturday evening were reduced, say for instance that we went back to the old law and shut up the houses at nine instead of eleven, the number of cases of drunkenness would be very much lessened?—Yes.

1031. And also if the Sunday hours were further restricted?—Yes; that is my opinion.

1032. Looking at the thing practically, would you think as an experiment in legislation it would be more reasonable to restrict the hours for closing public-houses on Saturday evening, say to nine o'clock, and to restrict the hours on Sunday evening in the same way, having relation to the fact that on Sunday the public-houses only open at two?—That would decidedly be an improvement on the present system; but I should like, as I have already said, to go further. I was talking on this subject the other day to an artisan in Belfast, and he told me how on one occasion a postage stamp cost him 2 s.; of course he could not buy a stamp at the post office on Sunday, but knowing that he could get one at the public-house he bought one there for a 1 d.; then some friends whom he found inside gave him a treat of beer or whiskey, and he wished to return the compliment, and so he spent 2 s. before he got out of the public-house.

1033. *Chairman*.] Is there anything you would like to add to your evidence?—With respect to the issuing of licenses, I have stated that I should myself prefer that the power of granting licenses should be vested in one person only; it is a duty which I as a magistrate do not wish to retain; I have sometimes been surrounded with interests which have been brought to bear upon

applications for a license where my own judgment would go against granting the license.

1034. Major *Gavin*.] It was stated by one of the witnesses that many publicans obtained licenses, and then sold them for larger sums of money than they gave for them; are you aware of that?—I am not, but I know there is a system by which a man having got a license, and having put up fixtures, and gone to some expense, may if he change his intentions sell his interest, and another person takes the fixtures and goodwill.

1035. But have you heard of the sale of a license by auction to any one who chooses to bid?—That surprises me, and I scarcely think it possible for this reason, that there is a great deal of scrupulous inquiry made about the person to whom a license is transferred; when an application is made to me in court to transfer a license to another party, I never do it without having made inquiries from the police as to the way in which the house has hitherto been kept, and whether the applicant is a fit person to be trusted with the conduct of a public-house.

1036. We have evidence that people sometimes give 10 times as much as had originally been given for a license, and running the risk of their getting it transferred or of not getting it transferred?—I have heard of 100 l. or 200 l. being given for the goodwill of a place.

1037. Without any certainty of the new man getting the license endorsed?—Yes; and I have heard of many instances where the magistrates have been informed that large sums have been paid, and yet the license has not been transferred.

1038. The buyer of the goodwill loses the money, then?—Yes.

1039. Supposing a stranger came from Cork or Limerick, with plenty of money in his pocket, would it be possible for him to get a license transferred to him?—He must be known to the police as a man of good character before the license would be endorsed.

1040. *Chairman*.] Can the spirit grocers keep their houses open all night?—Yes.

1041. Not on Sundays, I suppose?—No.

1042. Major *Gavin*.] What does a publican pay for his license?—About 5 l. I think; there are two which amount to about 5 l., but the spirit grocer pays nearly treble, and if he is fined only 10 s. he forfeits his license, though he can go to the Excise Commissioners and renew it upon a payment.

1043. Mr. *Murphy*.] But is it a positive fact that the aggregate money value of the licenses held by publicans in such a town as Cork or Belfast is a very considerable sum?—It is.

1044. Where there are say 500 licenses, would it be at all out of the way to put down the goodwill as worth 50 l. a piece?—It would depend upon the situation of the place.

1045. But, taking the average, do you think 50 l. would be too high?—I do not think it would.

1046. That would be 25,000 l.—Yes; you are doubtless aware that Belfast is daily increasing in the number of its houses as well as in the number of its population.

1047. Major *Gavin*.] Do you know that in the town of Belfast there is as much as one public-house to every eight houses of the population?—I believe that is so in some instances; there is one case where there are 10 public-houses in one street of 66 houses; the system of the sale of drink

rink in Belfast in unlicensed houses is very prevalent, though the police are very vigilant.

1048. *Mr. Murphy.*] Does that take place on Saturday evenings and Sundays?—Yes.

1049. There is a great deal of unlicensed selling during prohibited hours, is there?—Yes.

1050. *Chairman.*] Would you really say that here is a great deal of that going on?—Yes, I should; the law only imposes a fine of 5 s. for the first offence, but I have made it a rule to send the person to prison when an offence is repeated.

1051. Is it the fact that a large number of cases of fining for the use of party expressions occur on the Saturday and Sunday?—A great number of such cases are always brought up on the Monday morning, but the offence has of late decreased in Belfast; still we often have five or six cases, and the magistrates have made it a rule to impose the highest penalty the law allows, namely, 40s. and costs, as it often leads to a breach of the peace.

1052. Generally we may say that the committing of the offence is attributable to drink, may we not?—Almost invariably; I do not know a case in which a party cry has been raised by a sober person.

1053. Where does the revenue derived from fines for party cries in the course of the year go to?—It all goes to the credit of the town council of the borough; last year the amount which went to the credit of the town council of the borough was about 2,000 l., and I think about one-third of the whole amount was for fines imposed for party cries.

1054. *Major Gavin.*] Since you have been in

Belfast you say that you have inflicted the highest penalty on both sides?—Invariably. I introduced that rule finding the thing such an evil with regard to the good order of the town, and every other magistrate concurred with me; so that if a man shouts out that he is a good Catholic or a good Protestant, the fine is the same in either case; that comes under the head of disorderly conduct, or using language which in Belfast is highly calculated to cause a breach of the peace. I know a case where a man said that he was a good Protestant, and an unfortunate Roman Catholic misunderstood him and gave him a blow, and the man died. Of late those cries have grown into such a disrepute that it is only the lowest and meanest of the population who use them, and as they cannot pay the fines they have to go to prison.

1055. You stated that there were several shebbeen houses in Belfast open on Sunday, I think?—Many.

1056. Do you suppose if this Bill were passed that those houses would increase?—I do not think they would.

1057. Why not?—The shebbeen houses are frequented only by the very lowest of the population, and there are so many of them that I think they would hardly increase. The artizan class would certainly not go into those places.

1058. Do you think the shebbeen houses would not increase if the total closing of public-houses on Sunday were carried out?—I think not.

1059. *Mr. Murphy.*] You mean that that class of shebbeen houses would not increase?—Yes.

Mr. J. C. O'Donnell.

31 March 1868.

Mr. ROBERT LINDSAY, re-called.

1060. *Chairman.*] Is there anything you wish to add to your evidence?—Upon the question whether I should prefer that the licenses should be granted by the magistrates or the recorder, I

wish on reflection to say that I should, on the whole, prefer that the magistrates should have the power of granting them, in conjunction with the recorder, rather than the recorder alone.

Mr. R. Lindsay.

Thursday, 2nd April 1868.

MEMBERS PRESENT:

Mr. Dawson.
Mr. Chichester Fortescue.
Major Gavin.
Mr. Leader.
Sir Graham Montgomery.

Mr. Murphy.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.
Mr. Stacpoole.

MYLES WILLIAM O'REILLY, ESQ., IN THE CHAIR.

Mr. THOMAS HAMILTON, called in; and Examined.

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1061. *Chairman.*] You are a Resident Magistrate of the City of Cork?—I am.

1062. How long have you been stationed in the city of Cork?—I was stationed there for upwards of three years, as constabulary officer, and for the last six months I have been there as resident magistrate.

1063. Have you been stationed there nearly four years altogether?—Yes.

1064. And you have been in other parts of Ireland, have you not?—I have had nearly 16 years service in all.

1065. You are pretty well acquainted with a good many parts of the island?—Yes.

1066. Both country and town?—Yes.

1067. You are aware, I presume, of the general purport of this Bill?—Yes; the Sunday closing of public houses.

1068. Or, at least, greatly to limit the hours and conditions of their being open?—Yes.

1069. Have you considered the question of limiting the sale of intoxicating drink on Sunday?—I have, as far as Cork is concerned.

1070. In the first place, do you think that it would be desirable, if it should be found practicable, either to totally close public houses, or to limit the hours for which they are open?—From my experience, I would not advise the total closing of public houses on Sunday; but I think it would certainly be advisable to limit the hours.

1071. What is your reason for thinking that it would be unadvisable totally to close public houses on Sunday?—I think it would lead, in every way, to too much inconvenience, and prevent the working classes from having that reasonable indulgence which they are entitled to. At present the public houses are open from two to 11 at night; but those hours might be reduced with great advantage, and yet afford every reasonable license.

1072. What would you consider a reasonable limitation of those hours?—I know at present the almost invariable consequence of the very late hours is, that the working classes who indulge on Sunday night do not come to their work on Monday morning; whereas the chances are, if they were prevented from going to those houses so late, they would be at their work on Monday morning.

1073. And a good many also appear at the police office on Monday morning?—Generally a

large number; much more than on any other day in the week.

1074. What do you think would be a fair hour to fix for closing on Sunday evening?—I would say with respect to Cork that in the summer season eight o'clock would be a reasonable hour; and in the winter season the hours might be shortened to perhaps six o'clock.

1075. You do not think that that would inflict any practical grievance on the working-classes?—No, nor yet on the publicans; the working classes are of course the first to be considered.

1076. Then what do you say with regard to the hours of opening?—Two o'clock is the hour for opening now.

1077. Is there not this great evil about that, that the great mass of working people leave their places of worship about one o'clock to half-past one, so that just as they are going home the public-house is open just ready to tempt them, and prevent their going home?—I do not know that that is so in Cork, for the mass of the people in Cork go to Divine service earlier.

1078. Would anything be gained by deferring the opening for an hour?—I do not see that it would; two o'clock or a little earlier is the hour that the working classes have their dinners; and those that choose to have their beer, or any drink in reason, cannot get it unless the house is open at two.

1079. Do the working classes in Cork take any beer with their dinners?—As a rule they drink in the public-house instead; a man may have his dinner and then go to the public-house and have his beer.

1080. Then he would not want the public-house to be open in order to get his beer for dinner, though he might want it after dinner?—If a man dines at two or half-past one, unless the public-house is open he cannot have beer at dinner, or immediately after it, as he may feel disposed.

1081. Do you think that, as a rule, they take their families to the public-house after dinner to have some beer?—Certainly not as a rule; a man and his wife may sometimes go together, but not as a rule.

1082. Do the working classes in Ireland, as a rule, consume either beer or spirits with their meals as they do in England, with their families, or immediately after their meals; is it not the fact

et that drinking is almost entirely confined in Ireland to indulgence in the company of men?—It is almost entirely drinking in public-house; as a rule, there is no such thing as drinking in their own houses, having their beer with their dinner or anything of that kind.

1083. Do you think it is a common practice with working men for them to go after their dinner on Sundays or any other day, and have a pint of beer at the public-house and come away?—On Sundays they indulge in that way more than on any other day; a workman after his dinner is very likely to go to the public-house.

1084. Is it the general practice for them to go and have their beer and come away again, or is it the practice rather that the men stop there, and drink a good deal?—I think that the latter is more the rule; a man goes there to meet his friends, and for a little sociability, more than for the sake of having a pint of beer and coming away again.

1085. How long would you say that the man who goes to the public-house generally stops there; is it not generally more or less of a arouse?—I would not say that as a general rule, or it might be giving them a worse character than they deserve.

1086. All this relates to the great city of Cork, but is there the same necessity for public-houses being opened on Sunday in the purely country districts?—My experience has laid for the last seven or eight years altogether between Cork and Limerick. I know comparatively little from my present experience of the country districts.

1087. Would the opinion you have expressed with regard to Cork also apply with regard to Limerick?—Decidedly. I was there for upwards of three years, and I know it pretty well.

1088. The opinions which you have given apply entirely to Sunday?—Entirely.

1089. At the same time, would you give the Committee your opinion as to the question of the hour at which it is desirable that public-houses should be closed on Saturday evening?—I think that the late hour on Saturday evening is, if possible, a greater evil than the other. I think they might, with very great advantage to the public, and even to the publicans themselves, be closed much earlier on Saturday evenings.

1090. Do you think they might be closed earlier on every evening in the week?—More particularly on Saturday evenings.

1091. Would you fix the same hour on Saturday as on Sunday?—Nine o'clock on Saturday would be better, so as to allow a reasonable indulgence to both the publicans and the public.

1092. Would you agree with the opinion which has been expressed by several witnesses, that more drunkenness is caused between the last two hours of nine and eleven on Saturday evening than during the whole of the rest of the evening?—I have it in positive proof, from my daily experience as a magistrate and constabulary officer, that the average of cases of drunkenness is much higher on Saturday night than on any other day in the week.

1093. The proposal in the Bill is, in the first place, with regard to the hours for the sale of drink, to limit them on Sunday to from two o'clock to four o'clock in the afternoon, and then again from eight to nine in the evening; that is probably copied from an English Bill; but do you think it would be desirable to have the

public-house twice open on Sunday?—No; I think it would be very difficult to carry out such a law.

1094. Perhaps the reason for fixing eight to nine in the evening was to enable the working classes in England to get their supper beer, but supper beer is not wanted in Ireland, is it?—There is nothing of the sort in Ireland.

1095. Mr. Pim.] Is there more beer drunk now since the duty on whisky has been raised?—Much more.

1096. Do you think the dearness of whisky has led to the use of supper beer?—No; there is no such thing as supper beer in Ireland.

1097. Chairman.] There is a distinction proposed in this Bill between the sale of drink to be consumed on the premises, and the sale of drink that is not to be drunk on the premises, and it is proposed to forbid entirely the sale of drinks for consumption on the premises; do you think that is a good distinction?—I do not see how it would apply to Cork, because, as a rule, the public do not take away any drink from the public-house; they might be induced by a change in the law to do so, and the chances are that they would do so; but, as a rule, they do not do it now.

1098. At present is there much evasion of the law at those houses which are licensed under the Spirit Grocers Act to sell drink not to be drunk on the premises?—There are no such things as beer-houses; they are all public-houses. There are grocers who sell spirits—respectable wholesale grocers—but none is consumed on the premises.

1099. Do you think, if such a distinction were made in the Bill, it would probably be evaded to any large extent; that is to say, if it were forbidden to sell the liquor to be drunk on the premises only?—I think that such a distinction would be perpetually evaded.

1100. The second proposal in the Bill is to make a distinction in favour of the *bonâ fide* eating-house keeper, allowing the drink to be sold for consumption on the premises during the whole of the present hours; do you think that distinction is a good one?—No; I think it would lead in Cork to a great many abuses and evasions. I think it would be hard to distinguish between the eating-house keeper and the public-house. The eating-house would be made a cloak for the purpose of getting drink; and the man who was prevented from going into the public-house would only go to the eating-house instead, and, under cover of taking food, he would get as much drink as he wanted.

1101. A resident magistrate stationed in Belfast stated that he thought that difficulty would not arise, because if the keeper of the eating-house was known to the police as having allowed such an abuse to take place in his house, his license would probably be taken away; do you think that in the city of Cork that would act as an effectual check?—It would be extremely difficult, unless that check were established by law, of depriving a refreshment-house keeper of his license in the case supposed. I cannot see how the abuse could be prevented. A man would go in and order something merely nominal to eat, and have drink *ad libitum*.

1102. You do not think that any general representation made by the police, to the effect that they believed a particular eating-house keeper was evading the law, would induce the magistrates to stop his license?—No, certainly not, unless

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unless there were a conviction brought forward against him.

1103. Am I correct, then, in summing up your opinion in the following way:—With regard to Cork city, and Limerick city, and other similar large towns, you think it would be desirable to limit the hours on Sunday for the sale of intoxicating drinks, and that the hours during which the public-houses should be open for such sale should in winter be from two to eight, and in summer from two to six?—Yes.

1104. The public-houses should close on Saturday evening at nine o'clock?—Yes.

1105. You do not think it would be possible to make any distinction between the sale of liquor to be drunk on the premises and the sale of liquor to be drunk off the premises?—I think not.

1106. And you do not think it would be possible to make a practical distinction between public-houses and eating-houses?—Precisely.

1107. Now, do you think that any inconvenience would arise to any class of travellers from there not being any place opened on Sundays where they could obtain refreshment, except during these limited hours?—I do not, because there are hotels in Cork to suit every class of traveller almost, and in those hotels refreshment can be obtained, food and drink both, by travellers.

1108. You do not think there is any large class of travellers among working people who would want refreshment in that way on Sundays?—Certainly not in Cork, it is much more likely that that should be the case in the outlying districts. As a rule, the members of the working classes in Cork go out of town to spend their Sundays, in some of the adjoining villages, or some of the points round the harbour.

1109. Do you think, with regard to that large class of excursionists, that the hours would be sufficient to meet all their reasonable wants?—I think so. I may add that since I was summoned to give evidence before this Committee, I have looked at some statistics for which I can vouch from my own personal knowledge, and I find that there has been latterly a very great decrease of drunkenness in Cork. In 1865 the number of cases of intoxication brought up to the police court was 7,196, in 1866 the number had decreased to 6,571; last year there was a further decrease to 5,081, and in the course of the two or three months of the present year which have elapsed, the numbers have still been decreasing in a similar proportion.

1110. Could you assign offhand any probable cause for that decrease?—I attribute it in a great degree to the high price of provisions, and the want of work; there are now a great many idlers.

1111. You do not think that that decrease should have any influence in checking legislation upon this subject, or that it points to any such increase of habits of sobriety among the people, as would lessen the necessity of legislation as to the hours during which public-houses would remain open?—No, but I have some statistics which point to the advantage of closing at an earlier hour on Sunday; the system was adopted on two or three occasions in Cork; in the month of March 1867, public-houses were closed for nearly a month at six in the evening; that was from the 11th to the 18th of March, a space which included two Sundays, and I find that on the following Monday mornings, while the average number of cases of intoxication amount to

40, the number brought up at that time was only 15 on one Monday morning, and 16 on the other, and that, I believe, was a result of the earlier closing of the public-houses; they closed at six from the 11th to the 18th, and at eight until the 25th of March.

1112. Mr. Dawson.] Do I understand you to say, that you advocate the earlier closing of liquor shops on Saturday night, as distinguished from other week days?—Certainly.

1113. Would not it be the case that those who might wish to take away a moderate amount of drink to their own homes on Sunday, would be rather incommoded if the houses closed so early on Saturday?—I cannot see that that would be the case in Ireland; not one in 100 takes liquor away from the public-house for consumption on Sunday.

1114. Do you know the archdiocese of Cashel?—No.

1115. It has been mentioned by the archbishop of that diocese that a considerable quantity of liquor is there taken home on the Saturday for private consumption on the Sunday.—I have no doubt it is so, because the public-houses are closed entirely in that diocese on Sunday. Saturday night is the night on which the labourers get their wages, and a great many of them not until a late hour, when they go to the public-houses and spend it. I firmly believe between nine and eleven on Saturday night out of the whole week are the most objectionable hours for keeping public-houses open.

1116. Mr. Pollard-Urquhart.] I think you have stated that there is not much consumption either of beer or of spirits in the family in Ireland; are you quite sure that none of the middle classes take, say, a glass of whisky punch after their Sunday dinner?—I have not the least doubt they do, but I was speaking of the mass of the people—the labouring and lower classes; the middle class, as a rule, have either beer or a glass of punch after dinner, no doubt.

1117. What you would call the middle class in Cork comprises, I suppose, a great number of the better class of mechanics?—Comparatively few of that class indulge themselves in that way in their own houses.

1118. Do you think, however, that if indulgence of that kind was left open to them on Sunday, it might tend to diminish the temptation to indulgence in the public-house?—Possibly it might, but not to any appreciable extent.

1119. With respect to any relaxation that might be made in favour of travellers, should you think it a practicable arrangement for the police to decide if a man was a traveller, and give him a certificate to entitle him to refreshment?—I cannot see how that could be accomplished; certainly not with the small number of police that we now have; we have only 120 in Cork for a population of 80,000 or 90,000 people.

1120. You think that the working classes are exposed to great temptation on Saturday evening, from the fact of the public-houses being open late; do you think that many of them when they have just taken their wages, go in to get a glass of something to drink, and are then tempted to take more?—Yes, from the fact that they have money in their pockets at that time, and the houses are open so late.

1121. And I understand that for that reason you would particularly recommend the early closing of public houses on Saturday evening?—Yes.

1122. You

1122. You think that would almost preclude the possibility of the working man spending any considerable portion of his wages in such places on Saturday night?—I think the hours from nine to 11 on Saturday evening, are, for the labouring class, the two worst hours in the week.

1123. At the same time, you think that if the public houses were open up to nine o'clock on Saturday evening, any person who wished to lay in a small store of drink for use on Sunday at home would have ample opportunity of doing it?—Yes, there would be time for that before nine o'clock.

1124. Mr. *Pim*.] I understand you to say that you would not recommend the total closing of public houses on Sunday?—No; I think that would be unfair to the working classes.

1125. Have you formed the same opinion with regard to the country that you have with regard to the towns?—I think there is less objection in the country than in the City, because in small country towns the public houses often adjoin the chapel, and the congregation have perhaps, come a considerable distance, and then if the public houses are open just as service is over, the people are induced to go in and they stay perhaps a good while; of course that argument would not apply to the City so much, where the people are all resident more or less near the chapel.

1126. Do I understand you to say that you think there would be less objection to the closing of public houses entirely on Sunday in the country than in the City?—I think it would be less objectionable to close them entirely in the country than it would be in the City.

1127. Mr. *Murphy*.] From the evidence you have given, am I right in concluding that it is your opinion that if drink be allowed to be sold at all on Sunday, the restrictions proposed in this Bill of not allowing it to be consumed on the premises would prove inoperative?—I do think so.

1128. Do you think it would be much better to have no restriction in that respect?—Decidedly, if the houses are to be open at all.

1129. From your knowledge of the habits of the people in Ireland, do you think it likely that if drink were not allowed to be consumed on the premises, although it was allowed to be bought for consumption off the premises, a publican himself might be induced to open a private house in some convenient place near his public-house to which drink could be taken, and where people could sit down and consume it just as they could in his taproom?—I think that would be very likely; I am quite certain that such a law would lead to a great many evasions, and, perhaps, evasions of that very character.

1130. You think that the proposal to prevent consumption on the premises would be of no practical use?—I think it would be inoperative.

1131. You think that the time for which public houses are kept open on Sunday should be for a certain number of hours continuously, rather than there should be a break?—Rather than there should be a break.

1132. Do you found that opinion upon the difficulty which you think the authorities might find in ascertaining whether or not any abuses were going on in the intermediate time?—Yes, that is the principal ground of my opinion.

1133. In the statistics that you gave us, did you make any distinction between committals arising out of Saturday night drinking, and committals arising out of Sunday night drinking?—

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No, I do not; but I can from my own personal experience state, that the number of drinking cases is greater on Saturday night than on either of the other five days of the week.

1134. *Chairman*.] Saturday is the highest, and Sunday is the second?—Saturday is the highest, and Sunday is the second.

1135. Mr. *Chichester Fortescue*.] Your figures refer to the cases that are brought up at the police court on Monday for drunkenness?—Yes, those that are arrested on the Saturday night come before the court on Monday morning.

1136. And you say the Saturday cases are the most numerous?—Yes; and the next in number are the Sunday cases.

1137. Mr. *Murphy*.] And for the purpose of preventing the Saturday drinking as much as possible, you very properly suggest a limitation of the hours on Saturday night, do you not?—I do.

1138. Prior to the passing of the Act of 1866, the hours for closing were nine o'clock in the evening of Sunday, I believe?—Yes.

1139. And you think it would be proper to revert to that original custom?—I have very little doubt that it would have a good effect upon public morality.

1140. Can you, from your knowledge of Cork, and the various classes of the population, inform the Committee whether, of the working classes and the inferior tradesmen, there is a very large proportion who make it a habit on Sunday to go out and walk into the adjacent villages, or to take a cheap train, or to take a steamboat, and make short excursions?—A very large proportion of the working classes avail themselves on Sunday of the advantages which Cork presents in that particular, and those advantages are very great in Cork.

1141. Have you any materials for forming an opinion of the proportion; do you think on the average that half the working classes make Sunday excursions in that way?—I should say considerably more than half of the working classes; those who are employed six days in the week do so.

1142. They do so more in summer than in winter, of course?—Much more.

1143. People of that kind are more or less decent in their own way when they go out to the villages around Cork in that manner; I suppose they refresh themselves at the public-houses?—Yes; and they are, as a rule, respectably conducted.

1144. Would you consider it a great hardship, if, although people could buy drink for consumption off the premises on Sunday, people of that class should be prevented from consuming it on the premises?—It certainly would be a hardship, but it would not apply to great numbers of those who go out of Cork on a Sunday, because they would become travellers to a certain extent; and I conceive they would be entitled as travellers to obtain refreshment.

1145. But supposing they were not considered entitled to obtain refreshment as travellers, and supposing people of that class were restricted from sitting down in a public-house for a short time to take their refreshment, you say that would be a hardship?—I would decidedly say so.

1146. Do you think that such a law could in fact be carried into effect at all?—I cannot speak from my personal experience as to that.

1147. But are you of opinion that if such a restriction

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restriction were made law, the non-consumption on the premises could practically be prevented?—No, I think not, in the case of travellers certainly.

1148. Major *Gavin*.] You have a large garrison in Cork, have you not?—Yes.

1149. Soldiers frequent the public-houses on Sunday, of course?—Great numbers of them do. We have about 2,000 soldiers in Cork.

1150. Are their own canteens open on Sunday?—I am not certain; but I have very little doubt they are.

1151. But still there are a great many soldiers that do frequent the public-houses in the city on Sundays?—I know as a rule, from my own observation, the soldiers frequent the public-houses on Sunday more than any other day in the week, so that, possibly, their own canteens are not open on Sunday.

1152. I think you stated that it was your opinion that it would be advisable to close the

public-houses on Sunday at 8 o'clock in the summer, and 6 o'clock in the winter, and on Saturdays to close them at 9 o'clock?—Yes, that is my opinion.

1153. At the same time, did I understand you to say that you thought it would be difficult to carry out a law for the total closing of public-houses on Sunday?—No; I did not say it would be difficult to carry out such a law if it were made. I am certain it could be carried out, but I think the total closing of public-houses on Sunday would inflict great hardship upon the people.

1154. Do you know of such things existing in Cork as shebbeen houses?—There are very few indeed.

1155. Did I understand you to say, that there are none of what are called "spirit grocers" in Cork?—In Cork, all the licensed houses are classed in the same way.

1156. *Chairman*.] Is there anything you wish to add to your evidence?—I think not.

Mr. HUGH O'DONNELL, called in; and Examined.

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1157. *Chairman*.] Will you inform the Committee what you are?—I am the manager of a wholesale grocery and spirit establishment in Dublin, receiving a share of the profits.

1158. And you are, I think, President of the Grocers' Assistants' Benevolent Society?—Yes.

1159. And you come here to express their views on the subject of this Bill, at their request?—Yes.

1160. Will you, first of all, inform the Committee how many members there are in that association?—I could not be quite sure; but I think about 300.

1161. Are they a considerable proportion of the whole number of the body?—They are considered the most respectable portion of the assistants in Dublin, of whom I should say there would be altogether from 1,200 to 1,400.

1162. Will you state your own opinion, and at the same time the opinion of the association, upon this question of Sunday closing?—There was a meeting held on Sunday, the 15th of March, to consider the propriety of closing the public houses on Sunday; and, after due consideration, and reading over the Bill, this was the result: the assistants, as a matter of course, are, as a class, very anxious to get Sunday to themselves; but, at the same time, they came to the conclusion, that the Bill, as proposed, would act injudiciously to the trade; and, so long as it gives those privileges to eating houses, we are of opinion that more beer houses will spring up in consequence. The assistants think that, if the beer license was cancelled, then Sunday closing might be practicable.

1163. Do you mean the total closing of public houses on Sunday?—The assistants themselves are for that, provided the privileges proposed to be given to the eating-houses were withdrawn, and the beer license cancelled; but otherwise they think there would be a great many more eating-houses and more beer-houses—a good deal of vice and drunkenness take place in those beer-houses.

1164. What the assistants wish to point out to the Committee relates to the opening of the licensed beer-houses on Sunday?—During the week also.

1165. But with regard to Sunday closing, they would have no objection to that, if the beer-house was shut as well as the public-house?—None; but if Sunday closing was not fully carried out, the assistants would propose that the hours for which the public-houses should be open should be from two to five on Sundays, and that there should be no second opening.

1166. Is there a strong feeling among the assistants with regard to the number of hours for which they are kept to work during the week as compared with assistants in other trades?—Yes; as a rule they work 15 to 18 hours a day for six days in the week.

1167. And for how many hours on Sunday?—At present they work from two to eleven—it is nine hours on Sunday.

1168. How is it that they have to work for 15 hours on the week days?—In the neighbourhood where there are markets they open their shops in some cases at four o'clock in the morning, and they keep open till eleven.

1169. Are there many such houses in Dublin?—Not many.

1170. At what hour do the majority of the houses open?—At seven in the morning.

1171. And keep open how long?—Until half past eleven. The hour is eleven, but the police authorities grant an extra half-hour for clearing out.

1172. At what hour in the morning must the assistants be at their post?—At seven in the morning.

1173. Not before?—Very often to clean the counter and the measures, perhaps half-an-hour, and in some cases, an hour before.

1174. And if the public-houses are closed at half-past eleven as you say, do those assistants get away immediately?—No; they have to stay and clean up. I should say they do not get to bed before 12 o'clock.

1175. And that goes on for every day in the week?—Yes.

1176. And then on Sunday when the public-houses open at two, the assistant has to be there at least at sharp two?—Yes.

1177. At what hours do the public-houses close on Sunday?—11; up to 1860, it was nine o'clock, but it is now 11.

1178. Do

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1178. Do you know how that change came about?—I think it came about from the Wine Licensing Act of 1860.

1179. Is not this the case that the Wine Licensing Act fixed the hour at 11 instead of the hour of nine, and that hour was then held in practice to apply to all shops where liquor was sold?—Yes.

1180. So that that Act, which was never intended to have that result, had the effect of keeping the public-houses open for two hours later on Sunday?—Just so.

1181. Is there a strong feeling on the part of these young men that it is not fair that they should be kept at work so many more hours than the assistants in other trades?—There is.

1182. And especially with regard to Sunday; is it the fact that they feel that the ordinary rule of trade—namely, that it should not be allowed on Sunday any further than is proved to be absolutely necessary, should be extended to them?—Yes, it must be remembered that a grocer's assistant to-day, or this week, may be a grocer himself to-morrow or next week, and that in objecting to the clauses of the Bill before the Committee, they do so because they might act hereafter against them.

1183. But even with a view to their future interests as grocers, they would be prepared to accept a Bill which diminished the hours of Sunday labour to the extent which you have suggested to the Committee?—Yes, from two to five or from two to six; an hour more would not be much of a difference.

1184. Generally, do the spirit grocers open on Sundays, as well as the publicans?—They do.

1185. Those who have a license for the sale of spirits, but not to be consumed on the premises, I mean?—Yes; those who have a license not to sell more than two quarts at a time not to be consumed on the premises.

1186. Do they get on Sunday as large a trade as on other days in the week, for drink not to be consumed on the premises?—I do not think they do.

1187. Then why is it found to be to their interest to keep open on Sunday; do you think a good deal of drink is consumed either at or near the premises without their knowledge?—I should say a good many of them are not very particular about it, but the spirit grocers of Dublin as a rule are very respectable.

1188. But take the case of a spirit grocer with that license who is anxious to observe the law, would it not be very nearly impossible for him when he sells a very small quantity of spirits not to be drunk on the premises, to be quite sure that the man who bought it did not consume it between the counter and the door?—Yes, the man might take a bottle and drink it off before his eyes.

1189. Do you think, that allowing the liquor to be sold in small quantities with the proviso that it is not to be drunk on the premises, is, so to speak, an impracticable regulation?—I am of that opinion.

1190. I dare say you know the working population of Dublin pretty well?—Yes.

1191. Do you think they would suffer any inconvenience, if the hours for the sale of intoxicating drink were restricted from two to five o'clock on Sunday as you suggest?—I do not think the working classes would be inconveni-

enced; I think from two to five would be fair hours to fix.

1192. Am I right in concluding that the working classes of Ireland and the class just immediately above them do not consume beer with their supper, so that no necessity for leaving the public houses open at the hour of supper could exist in Ireland?—They do not consume beer with their supper as a rule.

1193. The chief distinction made in the Bill that you object to is the one in favour of eating houses?—Yes.

1194. Your objection to that is, that you think it would lead to great evasion; you think that the eating houses would be public-houses, under the name of eating houses?—Quite so; I think people would go in and buy a very little to eat, and a great deal to drink.

1195. Mr. *Murphy*.] Spend a penny in bread, and 4 s. 6 d. in sack?—Very likely.

1196. *Chairman*.] But with regard to such young men as have no home of their own to go to on Sundays; if the distinction in question could be fairly made, do you not think it would be desirable that they should be able to get beer or some other drink with their dinner?—I think many would go in to get a dinner that did not want one.

1197. But if it could be done, do you not think it would be desirable?—I do not think it would work, but if you could do it, I think it would be fair.

1198. In Dublin, do you think there is any considerable class of men, especially young men, who have to go to eating houses to get their dinners and suppers, who would feel it a hardship, if there were no such place where they could get either meal and get drink with it?—No; there is no large class like that.

1199. Take the class of young men with whom you are especially acquainted, that is to say, the 1,200 spirit grocers' assistants in the city of Dublin; where do they generally get their meals?—In almost every case, they are boarded in their place of business; there are not more than a dozen houses in Dublin that do not board their young men.

1200. In other trades, does the same rule prevail?—Yes; for instance, in the drapery houses, and those two classes include the principal number of young men in Dublin, engaged in mercantile pursuits.

1201. *Chairman*.] You do not think that there is any large class of that kind in Dublin who frequent eating houses for their meals?—No.

1202. You think that the closing of the eating houses, except from two to five o'clock, would not be a sensible hardship to any people in Dublin?—I think not.

1203. Do you think there is any large class of what may be called travellers in Dublin; I do not mean travellers sleeping in hotels, but travellers for the day, who would be inconvenienced by finding the public-houses shut in the evening?—There might be; that inconvenience might sometimes arise.

1204. But is there any large class of that kind in Dublin?—Not any large class.

1205. With regard to the districts in the neighbourhood of Dublin which are frequented by people on Sunday for recreation, such as Kingston and Bray, I suppose it would be a great hardship

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ship if the public-houses were shut altogether to those people on Sundays?—I should say that the traders there would think it so.

1206. Do you think that the customers as well as the traders would think so?—I should say that they would like to get a drink when they go out to the suburbs.

1207. Do you think they would suffer any great inconvenience if the public-houses were shut at five o'clock?—I do not think they would.

1208. Are you at all acquainted with purely country districts?—I served my time in the country, but I have not done business there for the last 10 or 12 years.

1209. What country town was that where you served your time?—The seaport town of Sligo.

1210. What is the population of Sligo?—About 12,000.

1211. Would you express the same opinion with regard to the closing of public-houses in Sligo as you do with regard to the closing of public-houses in Dublin?—Yes, I think it would have the same effect.

1212. Do you think it would be safe to close public-houses altogether in a town like Sligo, which, of course, is not so large as Dublin?—I think it would; I think they would suffer more inconvenience in Dublin than in such a place as Sligo, because the working classes are not so numerous in Sligo, even in proportion to the entire population.

1213. Would there be any great objection made to the closing of public-houses altogether on Sunday in Sligo, do you think?—I should say there would; they would like a few hours there as well as in any other place, but I think it could be done with more convenience in Sligo than in such a place as Dublin.

1214. With regard to Saturday evening, what is the hour for closing these houses at present?—Half-past 11 o'clock.

1215. What was the hour before 1860?—The same hour as on the week-day.

1216. Do you think it would be a gain to the working classes if the public-houses were shut at an earlier hour on Saturday evening?—It would; I think, if there were an hour or an hour and a half taken off, that would be a gain. I think 10 o'clock would be a fair hour for closing on Saturday night.

1217. Would you consider nine o'clock too early?—I would.

1218. Why?—Because there are a great many people in Dublin who are not paid their wages until after eight o'clock; they would not have time to purchase their things.

1219. Do you mean to purchase things to take home with them?—Yes.

1220. Do you think it is the fact that there is more drunkenness on Saturday evening than on any other evening in the week?—A great deal more.

1221. Mr. *Chichester Fortescue*.] More than on Sunday evening?—Yes; they begin it on the Saturday.

1222. And keep it up?—And keep it up till the Monday morning.

1223. *Chairman*.] Should you say that most of the drunkenness was caused by the late hours on the Saturday evening?—I should say a good deal of it is.

1224. Mr. *Chichester Fortescue*.] What did you mean when you said that there were very

few people of the working classes in Sligo?—I meant that there was a very small number of them in Sligo in proportion to Dublin.

1225. The whole population being somewhat smaller, you mean?—Yes.

1226. With respect to those people who go out of Dublin in the summer to pass a part of their Sundays in the suburbs, you said they would not be seriously inconvenienced if the public-houses were closed after five o'clock on Sunday?—I did.

1227. That is because the hours from two to five o'clock would be about the time at which they would require refreshments, I suppose?—Yes.

1228. And as you think that generally they would be on their way home after five o'clock, you think it would not be necessary to keep the public-houses open later?—Just so.

1229. Are there very many eating-houses in Dublin?—They are pretty numerous.

1230. Eating-houses of all grades, I suppose?—Yes.

1231. Including places like Jude's?—Yes.

1232. If you were to close the humbler eating-houses, I suppose, you must close them all from the highest to the lowest?—I think, if you close the public-houses, Jude's and such places would admit humble people enough to them to get drink.

1233. You would be in favour of closing the highest class of eating-houses, and all of them, in fact?—Yes, when the public-house was closed.

1234. Do you see any difficulty in closing such eating-houses as I have referred to?—I see no difficulty at all in it.

1235. Are they not largely used by the middle classes of society?—Such a place as Jude's is not largely used by the middle classes of society at present.

1236. But I suppose there are some of those eating-houses which are?—No doubt there are places a shade below that.

1237. A good many?—Yes.

1238. Would it in your opinion cause any serious inconvenience to a great many people if they were not able to get their dinner on Sunday evening at those places?—It would. I mean that they should be closed as far as selling drink is concerned; I do not mean closed from giving a dinner to any one who went in for it.

1239. But I thought you said that if they were open for selling food, and not for supplying drink, that distinction would never work?—I said if they had a license for both; if they had a license to sell drink during those hours, they would sell drink.

1240. You think that distinction could not be maintained?—I think it would be very hard in practice if they had a license to sell drink.

1241. You do think, then, that there would be considerable difficulty and inconvenience in closing eating-houses after five o'clock on Sundays?—I do; but I think you ought not to allow them to sell drink at these hours if you close the public-house.

1242. Mr. *Dawson*.] Jude's house is already licensed for the sale of intoxicating liquors, is it not?—It is.

1243. I think you said that you did not think that if those eating-houses were closed young men connected with your association would find any difficulty in providing themselves elsewhere with Sunday dinners and so forth?—The young men

men I am acquainted with are all boarded in their houses of business.

1244. Your knowledge extends only to those who are so boarded?—Yes, and the drapers' assistants; my knowledge extends to all the young men; there are only a dozen houses in the trade that do not board their assistants.

1245. Mr. *Chichester Fortescue*.] If there is of a numerous class in Dublin to make use of them, how are those numerous eating-houses maintained?—By travellers partly.

1246. But does not the existence of such a number of them in Dublin imply the existence of a class of residents who take their dinners in that way?—The class who go to them are clerks in wholesale houses, attorneys' clerks, and that class.

1247. But would not they require their dinner as much on Sunday as on other days in the week?—Yes, surely.

1248. Would not the difficulty we have been speaking of arise then?—I think they dine more or less at home on Sunday; that is my experience of them.

1249. Do you think that a great many of those who dine at those places on the week days dine at home on the Sundays?—I know a great many who do.

1250. Can you say how that happens?—I know it is the case that a good many of them live in the suburbs, and dine at home on Sundays.

1251. Mr. *Dawson*.] The last witness gave reasons for the opinion that it would be desirable to close spirit shops earlier on Saturday than on any other day in the week, do you agree with that?—Yes, only I think nine o'clock would be too early; I should think 10 o'clock would be a more convenient hour.

1252. *Chairman*.] You would be in favour of closing at 10 o'clock on Saturday evening instead of half-past 11 o'clock?—Yes.

1253. Mr. *Pollard-Urquhart*.] Supposing the public-houses and eating-houses were either closed on the Sunday, or open only for a very few hours, whereas the clubs and hotels were not interfered with at all, do you think that there would be a feeling in any class of the population that there was a distinction drawn between them and the upper classes?—I do think they would feel that.

1254. But would not some such feeling be almost unavoidable in any legislation restricting the opening of public-houses?—Yes; the working-classes would think it unfair that the public-houses should be shut against them all Sunday, while the higher-classes could go to their clubs and have what they liked.

1255. Do you think that feeling would exist to any great extent among the working-classes?—I should say it would. I think the working-classes would rather have their public-house open; but I should say, at the same time, that it would be a good thing to restrict the hours.

1256. Mr. *Pim*.] Did I understand you to say, that before the year 1860 the public-houses were closed at nine o'clock during the whole of the week, or only at nine o'clock on Sundays?—Only on Sunday; during the rest of the week they were open till 11 o'clock at night.

1257. Would you recommend the closing of public-houses at 10 o'clock every day in the week?—I would. I think it would be a very convenient hour for all days in the week.

1258. You think there is no occasion for pub-

lic-houses to be open till 11 o'clock?—I think 10 o'clock would be a very fair hour.

1259. But you would recommend that they should be closed at five or six o'clock on Sunday afternoon?—Yes.

1260. What you would recommend would be, that there should be a reduction of one hour on six days of the week, and that the hours should be from two to five or six o'clock on Sunday?—Yes.

1261. And you recommend that the hour for opening the public-houses on the other days of the week should be as it is now?—Yes.

1262. But that they should close at 10 o'clock?—Yes.

1263. Closing at five or six o'clock on Sundays?—Yes.

1264. And that there should be no other limitation with respect to the sale of beer, whether on or off the premises?—I should say that there ought to be no limitation of that kind. I think it would be better to leave it optional to consume the liquor on or off the premises.

1265. Do you think it fair that the eating-houses should be under the same restrictions as the public-houses?—Yes; and when I say that the liquor ought to be sold for consumption on the premises, I mean that in the first instance there are a good many travellers who are far away from their homes, perhaps, and they would not like to drink it outside the door of the public-house.

1266. Now, with regard to the eating-houses; if the eating-house was under the same restriction with regard to the supply of beer or spirits, that is to say, that it could only supply them for consumption between two and five or two and six o'clock, do you think there would be any difficulty in working that law if a man went in to get his dinner, say at seven o'clock?—I am afraid he would get the drink in the eating-house if he went in at seven o'clock.

1267. You think that, being nominally open for the supply of food, they would really be open for the supply of drink also?—I have no doubt of it.

1268. Do you recollect the time when public-houses were bound to be closed by law on Sundays at nine o'clock?—I do.

1269. Were they, in fact, so closed, or was the law not obeyed?—The law was obeyed with regard to public-houses, as far as my knowledge goes.

1270. I think you said there were between 1,200 and 1,400 young men employed as assistants in the public houses and the spirit grocers' shops in Dublin?—Yes, I did say so.

1271. Are many of those assistants under 21 years of age?—A good many; for I include apprentices.

1272. Would you say that one-third, or one-half, of the number were under 21 years of age?—I should say, that one-third were under 21 years of age.

1273. I suppose that you are aware that in some trades there are restrictions against employing for more than 12 hours a-day persons who are under age?—I was not aware of that.

1274. It is, however, the fact that in factories a young person under age cannot be employed more than 12 hours a-day; and, as that includes meals, it amounts, in practice, to 10 hours a-day?—I was not aware of that.

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1275. That law was, last year, extended to other branches of business. Do you then see any reason why the grocers' assistants who are under age should not be entitled to the same protection as young persons in linen factories, or cloth factories?—Indeed I cannot see any reason why they should not.

1276. Are there any women employed in any of these houses in Dublin?—Very few; there are a couple of hotels where they have young ladies at the bar.

1277. In the country, are there women employed as assistants in public-houses?—In the country, it is generally the daughter or the wife who attends to the business; but I do not know any case in the country where they employ women as assistants.

1278. Mr. *Murphy*.] I think you stated that the grocers' assistants were boarded in the establishments where they were employed?—Yes.

1279. Is it the fact that they are employed practically for 17 hours in those establishments?—Indeed they are; they must be there for those hours.

1280. In some of those establishments, I suppose, the young men are not at work all day; are there not relays, so that they take their turn at the duties?—There are a few houses that do that.

1281. Generally speaking, you think every one is employed for the time you speak of?—Yes.

1282. You stated you thought that public-houses ought to be closed on Sundays at five or six o'clock?—Yes.

1283. Do you think, if that regulation was enforced by law, that any class of eating-houses in Dublin would be induced to open additions to their establishments, whereby parties who could not get drink at the public-house would get it there?—If they could evade the law, I should say they would do so.

1284. That is on the supposition that the eating-house was allowed a license to sell drink?—Yes.

1285. But suppose it was considered not advisable to restrict the eating-house keeper from selling liquor on his premises later than six o'clock, do you not think it likely that, if he had the power of selling it all the evening, the same class of persons would resort there who would resort to the public-houses if they were open?—If they had a license I think they would.

1286. Major *Gavin*.] You said that Jude's house was open always on Sunday, and that it was frequented by the middle class; would your people, for example, go there?—They might go there, but I never knew them to do so much.

1287. But they do?—You may say they do.

1288. Mr. *Dawson*.] Is that the description of house that they frequently go to on week days?—My own class have not time to go on week days; they go to bed when they have done business.

1289. Major *Gavin*.] I should like to know whether, in your opinion, public-house keepers would not be jealous if they found such a house as Jude's open on Sunday, when they were prevented from opening?—I am clearly of the opinion that they would.

1290. If one establishment was shut, you think they should all be shut?—Yes.

1291. Would you go so far as to apply that to hotels; take those in Dawson-street, and the

oyster houses for instance?—I would go so far as restricting any hotel having a public bar, but the houses in Dawson-street, the Hibernian Hotel for instance, charge too dear for the working classes to go there.

1292. Mr. *Murphy*.] But suppose that an extra room or an addition to the building was created, what then?—I should be of opinion that any hotel having a public bar, should be restricted the same as the public house.

1293. Major *Gavin*.] Are there billiard tables open in Dublin on Sunday?—There are.

1294. Where you can get drink?—Yes.

1295. All Sunday?—All Sunday.

1296. Do you know whether the soldiers frequent the public-houses much on Sunday?—They do.

1297. More so than on many other days of the week?—I think they do; I see them more about the public-houses on Sunday than any other day.

1298. Do you know for what period the canteen is allowed to be open on Sunday?—I do not.

1299. You said something about people feeling sore, if they observed that their public-houses were shut on Sunday, while the club houses and hotels remained open?—Yes, I think there would be a jealousy.

1300. Nothing more than a jealousy?—I think they would feel that they were worse treated than the upper classes.

1301. You think that they would feel it an injustice?—I think so.

1302. *Chairman*.] You are of course aware that at the clubs in Dublin the members can get drink if they wish it at any hour on Sunday?—Yes.

1303. Do the working classes feel it an injustice that a gentleman who is a member of a club can go in and get a glass of sherry before two o'clock if he likes; did you ever hear that feeling expressed?—I never heard it expressed by any one in particular.

1304. Then what you meant was only this, that if the public-houses were closed altogether they would feel it a hardship, but not that they would expect their public-houses to be open for exactly the same time as those clubs?—That is about it, I think.

1305. I understand that you would advocate the restriction of the sale of drink in all eating-houses, and in all places that are licensed in exactly the same way as in the public-houses on Sunday?—Very strongly.

1306. But of course making an exception with regard to hotels and inns of any order for people who were living in them?—People who were actually sleeping in them.

1307. That is the only distinction you would make?—Yes.

1308. Mr. *Murphy*.] You mentioned the case of a man coming at seven o'clock in the evening to such a place as Mr. Jude's, for instance, after the prohibited hours, and asking for his dinner, and you said it would be very hard if he could not get something to drink, even if a law was passed prohibiting drink to be sold after six o'clock?—I think if he got his dinner he would be very likely to get some drink also.

1309. Do you think there would be any absolute objection to extending the hours to seven or eight o'clock on Sunday evening, looking at it merely as a question of degree?—I am speaking for myself and the assistants in general.

1310. You

1310. You are speaking from your own point of view, therefore?—Yes.

1311. But looking at it from the point of view of the public or the consumer, do you think there would be any particular objection to extending the time to seven or eight on Sunday?—I think seven o'clock would not be an unreasonable hour; I am giving my own opinion only.

1312. *Chairman.*] But your own deliberate opinion is that six o'clock would be the best hour?—I think six o'clock would be a very fair hour.

1313. *Mr. Murphy.*] Do you give that from your own point of view as a grocer's assistant?—Yes.

1314. *Chairman.*] But do you give it as your own deliberate opinion also, namely, that the best hour for closing is six o'clock, taking every point of view into consideration?—I do; I would not go further than six or seven o'clock.

1315. *Mr. Stacpoole.*] You would not approve of the total closing of public-houses from Saturday night till Monday morning?—I would not, for the reasons I have already stated.

*Mr. H.
O'Donnell.*

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Tuesday, 28th April 1868.

MEMBERS PRESENT :

Mr. Cubitt.
Mr. Dawson.
Mr. Chichester Fortescue.
Major Gavin.
Sir Graham Montgomery.

Mr. Murphy.
Mr. O'Neill.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.

MYLES WILLIAM O'REILLY, Esq., IN THE CHAIR.

The REV. LOWRY EDMONDS BERKELEY, called in; and Examined.

The Rev.
L. E.
Berkeley.
—
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1316. *Chairman.*] WHAT is your profession?
—I am Presbyterian Minister in Lurgan, Ireland.
1317. You are, I believe, pretty well acquainted with the opinion of the Presbyterian body in the North of Ireland, on the subject to which this Bill relates, namely, the Sunday closing of public-houses?—Yes.

1318. Will you mention what that opinion is generally, and your reasons for holding it?—I believe that we are unanimous in the opinion that the people require the protection of the law against the traffic in strong drink during the whole of the Lord's day.

1319. When you say we, you mean, I presume, the whole of the Presbyterian Church?
—The whole of the Presbyterian Church.

1320. Including all the lay members or not?
—I believe including them, with the rarest exceptions. My reason for saying that is, that the general assembly which comprises some 600 ministers, and some 500 representative laymen, has frequently passed unanimous resolutions upon this subject, without the slightest exception being taken to them.

1321. Is the opinion of the general assembly in favour of total closing upon Sundays?—Decidedly. At the same time I think we should be glad to get anything in that direction, such as this Bill proposes to give; but we should not be satisfied without the total closing of the public-houses.

1322. Have you considered the objections or the difficulties which there would be found with respect to total closing in the first place?—Yes, I have.

1323. For instance, it has been stated that in great towns like Belfast, there would be a considerable section of that population who would not like to see the public-houses entirely closed, and that that feeling would probably lead to breaches of the law; what is your opinion upon that point?—We think there is an important difference, in two respects, between the Kingdoms of England and Ireland. In England, as I understand, drink is commonly used by people at their meals (beer, for example), and they regard it as necessary for their existence; and in towns, when they want it on the Sunday, they send out for it. In Ireland, the chief drinking is not outside the public-houses at all, it is in them; and there are very few persons, I think, with us who would send on the Sunday for the drinks that they wanted.

1324. But are there not a good many persons who, if the public-houses in a town like Belfast (I speak chiefly as to large towns), were entirely closed, would try to get shebeen houses, or other unlicensed places, open for drinking on Sunday?—I do not think that there are many people who would do that; I think the people really desire the protection of the law upon this subject. The publicans do themselves, in some cases, and a very large number of people; for example, I have remonstrated with a man who was injuring himself and his family by his drinking habits, and I have said, "Why do you go to a house to drink, instead of spending the time with your family?" and his answer was, "Get that moved out of my way, and you will have no trouble with me; put that temptation in my way, and I cannot resist it." I know myself the state of the case as regards publicans. I have spoken to a publican within the last eight days, for example, who says, "I frequently go out of the way on the Sabbath afternoon, that I may not have people asking me to let them in"; and then, he says, when he goes out of the way, his neighbour has his house open, and he gets the trade; so that I think it is unfair to one class of publicans, who wish to have the day for rest, to have any of the public-houses open.

1325. With regard to another class of objections made with reference to travellers. Many people are absent from their homes, and want to get refreshments. Are you of opinion that there is any considerable class of that sort in Ireland who would be inconvenienced by the closing of the public-house as is proposed?—I do not think that there is; of course there are persons going to hotels, but the Bill does not apply as regards travellers; I do not think that there is any considerable class of people who would be affected.

1326. This Bill proposes to leave the licensed houses open for two periods in the day; do you think that is a good plan, or would it be better, assuming that they must be open at all, to have them open for one period in the middle of the day, assuming that that one period of remaining open was somewhat longer than it is at present?—Of course I go strongly against having them open at all.

1327. I began by saying, "assuming that there was any necessity for having them open at all"?—Certainly, if they were open at one part of the day that would be better than having them open for two; I may just say I have had considerable experience

experience in county districts as well as in towns, and my experience is, that the farmers and labourers in connection with the farms go to public-houses in the afternoon, say from three o'clock to nine or ten, and drink there to excess, and injure their means and their health, and unfit themselves for work on the Monday. Whatever may be the necessities, or supposed necessities, of towns, there is no kind of necessity for those places that are scattered all over the country, and which are deteriorating the character of the people most effectually; I have very strong views upon that subject, because those public-houses are scattered all up and down the rural districts where they are no manner of accommodation to the public, and where they are simply, in my opinion, corrupting the people of the district in which they are situated, and wherever such a house is open, morally destroying a large number of people in the district.

1328. May I ask what are the usual hours for Presbyterian service in the North of Ireland; the forenoon service?—The service is from twelve to two in the forenoon; some of them have afternoon service, that is from half-past one to three; and a good many have evening services from six till half-past seven, or from seven till half-past eight.

1329. Do you find it at all the practice in the North of Ireland to open a public-house close to a place of worship, so as to meet the congregation as they are coming out of service?—It was once the practice very largely, but I am happy to say that it is almost given up; and any of our members who were known to go to public-houses, after public worship on the Sabbath, would be counted not respectable or moral people; it was once the case, no doubt. Perhaps you will allow me to mention to the Committee, though possibly it does not come within the scope of your inquiry, that some of our brethren have very strong views as to the necessity of an earlier closing on Saturday night, it being their opinion that the late hour at which people get drunk on Saturday night injures them exceedingly.

1330. What hour would you suggest as a reasonable hour for closing them on Saturday night?—I should say nine o'clock.

1331. Is there any other point that you wish to mention?—There is a point upon which I know the magistrates feel very much, and I feel strongly upon it myself. Persons apply for a license and it is refused, and those parties go to the revenue and get what is called a forced license, and then the next time the subject comes up before the magistrates, they say this man has got a license already, and we may as well have the supervision of his house and give him a license ourselves; so that it is given, and the licenses are multiplied in that way, and that does great injury in our belief.

1332. What do you mean by a forced license?—It is an excise license.

1333. Mr. Pollard-Urquhart.] Is beer taken much by the labouring classes in your neighbourhood as a part of their Sunday meal?—I think not at all.

1334. Therefore it would be no hardship upon them not to be able to get it?—Not at all.

1335. Is there in your neighbourhood a large class of workmen living in lodgings who might be more dependent on the public-houses for their comfort upon the Sabbath than those living in houses?—No, I think not; and those who were

dependent to a certain extent upon the public-houses are providing places in which to meet, and the labouring classes are trying to separate themselves from public-houses.

1336. Are you of opinion that the closing of public-houses upon the Sabbath would entail no inconvenience whatever upon the working classes upon the Sunday?—Not upon the whole.

1337. Mr. Pim.] What county do you live in?—The county of Armagh.

1338. Are there factories in that district?—There are.

1339. Are you aware that the young people in those factories are not allowed to work more than a certain number of hours a day?—I am.

1340. Are there not a large number of young people employed in the public-houses?—I think not.

1341. Are there any women employed in public-houses, such as the families of persons who keep them?—Very few with us; I should say that young men over 20 years of age are the principal persons employed in selling drink.

1342. Do you think that there is no reason why young persons of that sort should not be secured a weekly holyday?—Certainly not; and I think those young men, members some of them of my own congregation, would very much like to have that holyday; and they have often said to me that they would very much rather take any other occupation, rather than continue to work upon the Sunday as some of them were doing.

1343. Are you of opinion, therefore, that they should be secured that holyday apart from the question of whether such closing would secure increased morality on the part of the other members of the community?—Yes, and I am certain that the giving up of that employment would increase the morality of the district.

1344. Mr. Murphy.] You have said that a great many men you are acquainted with wished, in fact, to be protected against themselves, by the closing of those houses?—That is so.

1345. Turning your attention to the particular enactments in the proposed Bill before the Committee, I presume you have read them?—I am sorry that I have not read the Bill.

1346. But you know the substance of it?—I do.

1347. The object of the Bill chiefly, is to keep the public-houses on Sunday closed, with the exception of certain hours mentioned, but to allow liquors to be bought, not to be consumed upon the premises?—Yes.

1348. That being the case, do you think the permission to purchase liquor in any quantity, and the endeavour to prevent it being consumed on the premises when bought, would have any appreciable effect in doing away with the evils caused by excessive drinking?—I think it would have an appreciable effect.

1349. In what way?—The drinking, as I have said, is mainly in the public-houses, and not out of them; the people do not, as an ordinary rule, send for drink to be consumed in their own houses, and therefore, if the publicans were not allowed to permit people to sit down, I think that they would hardly go to those houses at all, and in that way I think there would be a great diminution of drunkenness.

1350. Take cities where there is plenty of room for evading the law; supposing there was a room open immediately next to a public-house, I

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where people could go and sit and consume their liquor, do you think, if that were the case, the evil you speak of would be appreciably remedied?—I think there is a class of people who, in that case, would go to that tap-room, but they are the very lowest class; I think people would not, to anything like the same extent, go to a place of that kind that now go to that public-house.

1351. But why?—Because there is a sort of degradation associated with that.

1352. But how would there be a degradation associated with going to a room of that sort when there is no degradation associated with going to a tap-room, assuming that the place was part and parcel of the same public-house, although next door?—I think their going to a place like that would show simply that they had a very decided love for drink.

1353. What do they do now when they go to a tap-room; is it to show that they have not a desire for drink?—I think it is very much the result of people meeting one another, and going to talk together.

1354. If they had an opportunity of doing that under another name, which they do now, do you or do you not think the same effects would remain?—I still think there is a class of people who go to the public-houses, and would not go to such a room as you speak of.

1355. In your opinion it is an arguable point?—It is.

1356. You stated that you thought a continuous opening for a certain number of hours on the Sunday would be better than an intermittent opening; you think that if houses are to be opened on Sunday for a certain time for the sale of liquor, that it is better to have it all in one time instead of having it intermittently?—I stated that upon the supposition that if there was but one time the time would be so much shorter.

1357. In your view the shorter the time the better?—Decidedly.

1358. Have you directed your attention at all in cities or in large towns to what the effect would be of intermittent opening as contrasted with continuous opening so far as the authorities are concerned?—I have not given my attention to that particular point, so that I could not give an opinion upon that.

1359. There is a proposed provision in the Bill whereby parties having eating-houses can be permitted to sell any quantity of liquors they like on Sunday, and to have the place open whatever the time assigned by law for that purpose is; do you think it probable, particularly in cities and large towns, that if total closing took place, or if the provisions of this Bill were carried into effect to prevent consumption upon the premises, a class of people would be induced under the name of eating, to go to those places to consume whatever quantity of liquor they liked?—I think it very likely, but I do not see why those places should be so permitted to open.

1360. Major *Gavin*.] You reside in Lurgan, do you not?—Yes, I do.

1361. Are there any club-houses in Lurgan?

—No; there is no house going exactly under that name; there are rooms where particular classes of politicians meet.

1362. Reading-rooms?—Yes, reading-rooms, and also lecture rooms.

1363. Where you can get a glass of wine or claret or anything of that kind?—No; they do not in any of the reading-rooms or club-houses keep drink that I am aware of, nor in what you may call the Orange Hall.

1364. But the first-class hotels are open on the Sunday, are they not?—Yes; they are open on Sunday.

1365. Are they frequented by the better order of the people on Sunday?—I think not to a large extent.

1366. There are dinners given, I suppose, by the better class of people sometimes?—There are not with us many Sunday diners; the only parties frequenting the hotels on Sundays with us, are people who are travelling, and perhaps a class of fast young men, or people of that sort.

1367. Or men of the better class?—Yes.

1368. Do you not think that, to make use of the expression, the lower orders of the middle classes would naturally feel jealous if they were deprived of their enjoyment on the Sunday, when those higher than themselves were enabled to partake of such enjoyments?—I do not think they would; I think decidedly the working people with us wish for the protection of the law against themselves, so to speak.

1369. And they would not feel any jealousy in seeing those above them enjoying themselves, when they themselves have not the opportunity of doing so?—No; especially as those who go to the hotels are very few indeed, and of that particular class that they would not wish to be mixed up with.

1370. And do you not think that there are fast people in the middle classes as well as in the upper classes?—I dare say there are.

1371. Mr. *Pollard-Urquhart*.] You were talking about people getting liquor from those public-houses in the hour or two they were open; is it your opinion even supposing that was done, there would be much less drunkenness than if the liquor was consumed in the public-house?—Yes; decidedly.

1372. And you think that very few people would be led on to getting drunk if they had to send for their liquor?—Yes; I think very few would get drunk under these circumstances.

1373. Mr. *Murphy*.] What is the population of Lurgan?—It is about 10,000.

1374. Mr. *Cubitt*.] Do you think that you are speaking for most of the Presbyterian ministers?—Yes I think so; they are unanimous in their wish to have the entire day, and I may say that I am speaking also for the people; I think there is hardly any exception.

1375. Mr. *Murphy*.] But your experience does not go to the habits of people generally in the town, does it?—No, not generally; I have resided in a very large parish, and I reside now in a large town, so that I have experience in that way.

FRANK THORP PORTER, Esq., called in; and Examined.

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1376. *Chairman*.] You were formerly a divisional magistrate, were you not?—Magistrate of the head office of the Dublin police for twenty years and three months.

1377. You have thought a good deal, have you not, upon this question of restricting the sale of liquors on Sunday, and have formed a decided opinion on the subject, I believe?—I have formed

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an opinion on the subject, drawn just from my experience of the City of Dublin, from the locality in which I had to act for the years I have mentioned, and also I have a general opinion derived from my own experience as a member of society.

1378. Would you kindly give that opinion to the Committee?—My opinion is against the principle of restriction; I mean to say, if it is not too figurative, that if you plant the tree I do not think you will get any beneficial fruits from it; I do not think that it will produce beneficial results; I would not expect them from it.

1379. Will you kindly say how far you carry that opinion; am I right in believing that you are against all restrictions whatever on the subject of buying and selling?—I mean this: that it is my deliberate opinion that if you were to close the public-houses in the extensive division I had to deal with in Dublin you would not have less intoxication or less cases before the magistrates on the Monday morning.

1380. Am I right in thinking that your opinion goes further than that; that is, that on principle you are opposed to any restrictions on the sale of liquors?—I do not think that from the existing restrictions any beneficial result has arisen.

1381. Am I right in inferring that you would be for abolishing the existing restrictions as well as for not increasing them?—I do not say that I would be for abolishing the existing restrictions; I would leave them as a *caput mortuum*; I do not think they have done any good, and I think the public would be just as well without them, but I do not want anybody to try any experiments on my mere judgment.

1382. How far am I to understand you that the existing restrictions are a *caput mortuum*, or a dead letter; do you conceive now that the closing from eleven at night to half past one on Sunday is a dead letter?—I believe that those who are inclined for liquor—persons inclined to meet and have their liquor—get it just as freely at a restricted hour as they do after two o'clock in the afternoon of a Sunday; the last Sunday I was in town I saw a horrible case of drunkenness, and on looking at my watch I found that it was five minutes to 11 in the forenoon; that day week before that, at Inchicore, in the suburbs of Dublin, I saw two young lads miserably drunk between 11 and 12, and am quite satisfied that they got the liquor at illicit houses and hours.

1383. Would you also go as far with me this way, that you consider that at present those who are bent on getting drunk do get the liquor during the hours the public-houses are nominally closed? May I not infer that the closing of public-houses during the rest of the day would produce as much effect during those hours as it does during the present hours when they are closed?—I think that if you shut the public-houses completely up you would have an enormous amount of illicit traffic done, which no police could detect or stop.

1384. But would there be more illicit traffic done if they were shut during those hours than there is during the hours that they are now shut?—I understand you to ask whether the additional closing of the houses would lead to an increase in the illicit traffic?

1385. That is my question?—Yes, I think it would.

1386. More than in proportion to the increased number of hours?—I think it would; that is my own speculative opinion. I think that the feel-

ings of the people would rebel against the total closing of the public-houses.

1387. But if, as you say, every man who is bent upon getting drink now gets it during the hours that the public-houses are closed, what more people would get it during the other hours that they were closed; there would not be any more people to get it then?—I admit that; but I do not think that the closing or opening would make any difference.

1388. You stated as your opinion that the closing or opening of the public-houses would not make any difference?—Not according to my own opinion or my own experience.

1389. I mean the closing for the rest of the day would make no more difference than the closing for the half of that time?—I think not; I may be permitted to say this, that in my memory there has been the most marked improvement in the moral condition of the operative classes in Dublin; a wonderful improvement. I recollect in my childhood (my father was a very extensive printer), that I never went into his printing-office when there was not a certain number of the people drunk; liquor was most inordinately used amongst them; drunkenness was almost the rule, and I have known it to be the same in other places. Now, I think you might go into fifty respectable printing-offices in the city of Dublin, and if there was a fellow inclined to inebriety, his fellow-workmen would not associate with him. There is a total reformation in that respect, and I believe, even in other trades, to a great extent also; I do not ascribe that change to any operation of law or statutory enactment, I ascribe it to the progress of civilization and self-respect, and feelings of decency amongst the operatives.

1390. Do you remember the state of the case before the passing of Perrin's Act?—I do; I was not in office at that time. With regard to drinking away from public-houses, I may mention this, that the worst cases of drinking, I do not mean of intoxication, but the worst cases of drinking I ever knew were not in public-houses. I recollect the murder of a man at Bansha, in the county of Tipperary, when I was on circuit, and the murderers who had agreed to kill him fortified themselves with a lot of whisky first, at a ball alley; and I remember the murder of a man named Rowe, at Kilkenny, and in that case there was a previous drinking, but not in a public house; the whisky was provided, and it was taken elsewhere.

1391. Is your opinion chiefly formed from your experience of Dublin, or would you extend the same opinions to the purely agricultural districts? I do not profess to be acquainted with the agricultural districts of late years. I form my opinion more from Dublin and its suburbs. My division extended to a considerable distance on the south side of Dublin and contained a very mixed population.

1392. And, therefore, in some respects the circumstances were different from those of the purely agricultural districts of Ireland?—Yes, they were manufacturing people and working tradesmen, a great number of them. I may say that I have got a newspaper with me in which there is a report of evidence given by Sir Thomas Henry before a Committee, relative to the sale of liquors on Sunday in England.

1393. Is that the Committee which is now sitting?—It seems that it was on Thursday last. He says just this, that he had noticed a decided

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diminution, not only in cases of drunkenness but also in breaches of the law, on the part of publicans; that that change was owing to the improved habits, education and tastes of the people generally. So far as that goes, as to the improved habits of the people, I would say ditto for Dublin.

1394. You are aware, I suppose, as every Irishman is, that in very large districts of Ireland, districts increasing yearly, all the public-houses have been closed on Sunday by an agreement on the part of the people themselves. I mean in the whole of the diocese of Cashel and the diocese of Emly (I am speaking of Roman Catholic dioceses), and Ferns and Kilmore, and in many other towns out of these dioceses the public-houses have been entirely closed and with good results?—I am aware of that.

1395. Does not that show that in large districts at least in Ireland, the public opinion of the people is in favour of closing the public-houses on Sunday?—The public opinion of the people elicited in a particular way may be. I am satisfied that there are thousands in those places that would shudder at kicking against the moral and religious influence that has been brought to bear upon them, and that if there was an Act of Parliament in the way they are the very people who would glory in throwing its provisions aside.

1396. Even though it was backed by religious opinion?—My opinion would be, that the strength of that statute would be derived from the moral influence behind it, and not from itself; that if it had not that influence behind it it would be like a piece of dry paper against the wall, it would fall; but paste it with moral influence and power, and it will stick there and remain.

1397. Is it not the fact that a great part of the strength of all laws is derived from their unison with the moral sentiment of the people, and that no law could be considered effective which violates the moral sentiment of the people?—The more of that principle there is in law the more respected the law will be, but there are many laws, *mala prohibita*, of which people only seek an opportunity of evasion or infraction.

1398. Is there anything else you would like to mention to the Committee?—No; I would merely be understood as giving my opinion against the principle of restriction, and to say that I would ascribe no value to it on my own experience.

1399. Sir *Graham Montgomery*.] Would you carry out this principle of non-restriction so far as to say that you would allow free trade in the sale of liquors without having any license?—No, I do not want to interfere with the revenue, but it is on a revenue principle alone that I say that. To a man of excellent character, probity and propriety of conduct I think I would give a license on the same terms as I would to anybody else.

1400. You would restrict the principle so far as to say that it should not be open to everybody to sell drink, but only to those licensed by the magistrates?—I would wish to see the principle carried out which has been adopted in France, giving great power and authority to the proprietor of the house to enforce order, and attaching to him, at the same time, a responsibility for the way in which that house was conducted. In France a liquor vendor is, I may say, a magistrate within his walls, and has power and authority to repress excess or disorder, and he is held

responsible that he shall exercise that authority; and if he does not exercise that authority, and if he allows habitual intoxication, he is brought to the Maire, convicted of it, fined a certain sum, and then he is given a handsome advertisement or pasteboard which he must hang up in his place of business for one month to let his customers know that he has been convicted of allowing habitual intoxication; and if he does not reform the place and conduct it properly he is shut up.

1401. And you would like to see the licensing system in Ireland adapted to some sort of proceeding like that?—I would.

1402. You stated that you were inclined to believe that parties who wished to get drink would get it somehow?—That is my opinion. There was a limekiln in my former division, in a place called the Long Lane; and I am sure that hundreds of cases of intoxication have come to our office from fellows that have got liquor and made themselves snug by the limekiln, and relieved themselves from the horrors of sobriety there.

1403. Do you not think that, in a large city like Dublin, there would be a number of people who would be inclined to take spirits if they could get them, but who, if the houses were shut, would never think of doing so?—I admit this, that it would lessen temptation, and it would lessen the influence of a badly-disposed person; of course, there is nothing that cannot be turned to a good or a bad purpose.

1404. Still, you think there would be a large class of persons who would be tempted by the public-houses being opened on the Sundays, who might not be tempted if they were closed?—From my own personal experience, I cannot say much as to that; but my opinion is, that those who were inveterately inclined for it would have the liquor.

1405. But I was talking of those who could be tempted; do you not think there would be a very large class, in a large town like Dublin, who would be subject to temptation?—They would be subject to temptation; and I think that if you close the public-houses on Sunday totally and entirely, it would lead to the observance of what they call Saint Monday, and that they would make up on the Monday for what they had not had on Sunday. Monday, in my early magisterial time, was a very bad day; there was a very great deal of drinking on the Monday.

1406. But that was in addition to the drinking on Sunday, was it not?—Yes; I think they made up on the Monday for what they did not get on Sunday.

1407. Mr. *O'Neill*.] With regard to what has just been said, do you not think that putting aside the inveterate drunkard, there is a very large class, perhaps the largest class, of those who are tempted into intemperance, who go to the public-house mainly for the society and amusement that they find there; not with any intention of getting drunk, but who are perhaps led into intemperance by seeing it before them?—By subtle influences.

1408. Exactly?—I believe there are a great many people who will go to places of that kind not intending to get drunk, and they are led insensibly into indulgences; and then I beg to say I would meet that by referring to what I would propose to be adopted. I would make the publican or the people conducting that house accountable, that they should not allow habitual intoxication,

intoxication, that they should not allow people to get drunk in their place, but refuse to supply a drink to persons who had already had enough. 1409. But if there was a possibility of their getting drunk at illicit houses, even with that arrangement that you have suggested, do you not think that your plan would become ineffectual, because people would go to a house where there was less control than there was in an orderly house?—They would have recourse to the illicit houses of course in a great degree; and I do believe there is an enormous amount of illicit traffic carried on in Dublin. There was in my time, I am sure.

1410. Mr. Pollard-Urquhart.] You stated that you would give the keepers of public-houses power to turn people out of their public-houses, and make them accountable for what took place in their houses, and you stated that that system prevailed in France. Do you not think that such regulation is much more easily enforced in France, where the people drink wine, than it could be in Ireland, where the people drink spirits?—From my own observation, which I must say is limited to Paris and to Brittany, I think the French are more of a beer drinking people than a wine drinking people.

1411. Then take it as to beer, is not a man much more controllable if he has drunk beer than if he has drunk spirits?—That may be so, but I did not see intoxication in France at all.

1412. But from your experience of what takes place in the public-houses of both countries, would you not say that the people who had drunk a certain quantity in France would be much more amenable to discipline than if they had drunk a certain quantity in Ireland, whether it be from the nature of the liquor they drink, or from the temperament of the people?—I have seen people in France, who would appear to be a little lively, demanding liquor, and they were immediately refused, and ordered out of the house.

1413. And was that order in every case obeyed?—It was obeyed at once, because the responsibility, I understood, would be very heavy for refusing to carry it out. I was last summer in Saint Malo, and I went one Sunday to see a procession. I got no breakfast before I went, and between 11 and 12, nearly 12, I went into a restaurant and asked for some breakfast. It was furnished to me, and two men, evidently seafaring men, came in and demanded some Cognac. They were refused and ordered out, and they went out immediately, and I think that was a very suitable way of dealing with those fellows, who appeared to have had a little drop before, that they should get no more.

1414. Did those men appear to be drunk, or would they not sell spirits to them under any circumstances?—They appeared to be a little flushed, and they could not get any more, but that was no reason why I should not get my breakfast.

1415. Could you suggest any other alteration in the general licensing system in Ireland beyond that to which you have adverted?—My experience goes only to Dublin.

1416. That is a very extensive experience?—My experience would suggest this fact, that there are five divisional justices in Dublin, and I would give them the authority of licensing. It is at present done by the court of quarter sessions, and that court of quarter sessions consists

of one individual, and that one individual knows very little, I may say as little as any one could know, about public-houses and the sale of liquor.

1417. And that one individual might possibly be liable to pressure?—I should not say so; there would be no intimidation if you mean that.

1418. I do not mean that the magistrate would be intimidated, but he would be asked to give a license as a favour, perhaps?—I do not think the word favour could be used with reference to the Recorder of Dublin.

1419. Although that could not be the case as regards the present Recorder, but such a thing might happen, might it not?—Yes, you might have another Recorder of a different tendency.

1420. At present spirits are sold very much by the licensed grocers, are they not?—Yes. Supposing the public-houses were closed on Sunday, do you think that very much drinking would take place at the licensed grocers if they were allowed to remain open?—My opinion is, that I would merge those who are commonly called licensed grocers into one class with the publicans. I would have but one license.

1421. You would have them under the same regulations as the public-houses?—Yes, I would. I find that the number of licensed houses for consumption on the premises is 1,006, and of spirit grocers not allowed to consume on the premises, 189. I would see no objection to merging these two classes into one another; that is, by paying the same license, for I am really not aware what the respective amounts of the licenses are, but I think there is a distinction without a difference, and I believe that some of these spirit grocers act as publicans to a very great extent.

1422. You have stated that you thought that if the public-houses were closed all the Sunday, or nearly all the Sunday, the working classes would make up for their privation on the Monday. As it is, Monday is a very idle day for many of the artisans in Dublin, is it not?—It is for many of them, but not one-fourth of the number that it was in my boyhood. They are a wonderfully improved class.

1423. But those who are idle on the Monday are very generally idle for the purpose of getting over the booseyness of the previous day; is not that so?—I do not say so; I think that the Monday amongst those people is a continuation of the idleness of the Sunday.

1424. And perhaps they are a little incapacitated for work from having indulged a little too freely on the previous day?—That might be so with some.

1425. I think you stated just now that everybody who was bent upon getting drunk would get drunk whether the public-houses were open or not; but is it not the case now that many get drunk who are not bent upon doing so?—I have no doubt that many persons go into a public-house without intending to get drunk, but they are led on from one thing to another; but if there was a responsibility put upon the proprietor of that public-house that he should not allow people to get drunk on his premises, I think there would be a remedy for that.

1426. But do you think that, practically speaking, the proprietors of public-houses would have the power to stop excess in the manner in which it is done in France, arising from the temperament

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perament of the people and their habits?—I think there would be a little difficulty perhaps in the working; but I think it could be carried out, because there is no country where this would tell better for the proprietor to say, "You know I cannot allow it; I dare not allow it;" particularly if he had authority imparted to him, and the law supported that authority.

1427. Take the case you mentioned just now where you were having your breakfast, and the men who came in were refused spirits, do you think any publican in Ireland would have the courage to refuse those people a glass of Cognac if they could just step across the way and get drink at another public-house?—I do not think that those men would get it in the next public-house at St. Malo.

1428. I did not say at St. Malo, but at Dublin?—I think if there were the same responsibilities and the same power the Dublin people could work it just as well, and I do not think that there is adequate punishment inflicted on houses in Dublin, and perhaps in other parts of Ireland, which are, as I might say, temples of intemperance. If I am not intruding on the time of the Committee, I may say this, that a little time back I went with a friend out to the south part of the county of Dublin; it was on a Sunday, and when we were coming in we were admonished to this effect, "You had better take a little detour, and not go by a certain road, for there is a public-house there which every Sunday evening is full of drunken fellows, and their rioting might be very violent and annoying"; we did go that way as quietly as we could, and I saw a lot of fellows fighting, wrangling, and making a great uproar and disorder; and what I say upon that is that I would not only close that house on Sunday, but I would close it also on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday; I would shut it up altogether.

1429. You have stated that you thought there would be an illicit sale of spirits on the Sunday if the public-houses were closed; have not the police succeeded in stopping the illicit sale and also the illicit distillation of spirits to a great extent?—I never heard of illicit distillation in Dublin previous to my magisterial life; while I was in office there were two detections. I understand there has been one since I went out of office, and as to preventing the illicit traffic in spirits, the police are very energetic and are very anxious to do their duty, but I do not think they have succeeded in putting down the traffic.

1430. But they have suppressed it very much, have they not, if they have not altogether extinguished it?—I think there are a number of houses in Dublin that they have not been able to come at, and that perhaps they will not be able to come at, and where great trade is done. There is this to be said, that if a man has a license, the police can come and inspect his premises at all times. If he has not a license, although he is driving a considerable traffic in illicit spirits, there must be a sworn information laid, and a warrant obtained, before those premises can be entered by the police.

1431-2. But supposing this illicit trade in spirits was to be increased, would there be any difficulty in sworn informations being laid, and the trade being suppressed in that manner, supposing it became general; and do you not think that the police would be able to stop it?—I do not think that they have been able to stop it. I have

every reason to believe that an illicit traffic is carried on in some of the most of the respectable streets in Dublin, and also in some of the most obscure and disreputable parts of the city.

1433. Mr. *Pim.*] I think I understood you to state that you thought that the restrictions upon the public-houses were of very little value; would you go so far as to say that you would have no restrictions as regards hours, but allow a man to keep his house open to whatever hour he liked, or close at whatever hour he liked?—My opinion may appear to you to be very extraordinary; but I do conceive if you give authority to a man to conduct his house properly, and hold him responsible for the exercise of that authority, you need not ask him then about his hours at all.

1434. I understand you to state that you do approve of licensing; you would not allow any person to engage in the trade without a license?—I would not allow a man to engage in the trade without a license. First of all, there is the revenue to consider, which I am not insensible to; in the next place, the withdrawal of the license would be a proper mode of punishing a publican, if he allowed habitual intoxication and misconduct on his premises; and if the licenses were abolished, you would not then be able to deal with the man who made his place a temple of intemperance.

1435. In fact, you rely more on proper surveillance as to the mode in which a house is conducted, than upon any restrictions as to time?—Yes, I do.

1436. Do I understand you to say that you think there ought to be only one license, that is, that there ought to be no spirit grocers' license, as distinct from the licensed vintners?—I think that to merge the 189 spirit grocers with the others, and to have only the one license, would be the better plan.

1437. Are spirit grocers allowed to sell spirits to be consumed upon the premises?—No.

1438. Do you think that they do, as a matter of fact?—I have had to record convictions against several of them for it.

1439. What is your opinion with reference to the authority for granting licenses; would your idea be that there should be some authority like the recorder, or would you allow any one to obtain a licensed vintner's license if he paid the sum of money that the license came to?—I would grant him a license, having given a reference as to his character. I certainly should require a good character, and I would also take into consideration the means that he had, or was reputed to have, for carrying it on respectably and fairly.

1440. You have stated that you did not approve any restrictions on Sunday, as regards the sale of spirits; in fact, you would allow a man to keep open the whole day if he choose; but would you like the same rule to apply to all other trades. You are aware it is not lawful to keep an ordinary shop open on Sunday; would you apply the same rule to all other places of business?—That is a very novel question to me. The trades to which you have before referred are trades administering to the interior comforts, with reference to eating and drinking, and the necessities of existence. A man does not require to buy and sell other articles on Sunday; there is no necessity, surely, for that; but a man will be hungry and thirsty on Sunday just the same as upon any other day.

1441. Are

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1441. Are you aware that the employés in public-houses are very hard worked; they begin at a very early hour in the morning, and the custom of the trade is to keep the houses open till a very late hour in the evening, so that their hours of labour are very long; do you think that is likely to be beneficial to them in a physical or moral point of view?—I would refer that to their own discretion, I would not interfere with it; I know if I was in any business I would not work more than I thought was consistent with my own comfort and my own interest.

1442. Part of the effect of closing other establishments on Sunday is to secure to the employés of those establishments a weekly holiday?—I think there ought to be a fair arrangement made between the employer and the employé; with regard to that I may mention that in the neighbourhood of the great markets in Paris, in the neighbourhood of the Halles, there are houses that are never shut from one year's end to the other, and there is a relay of servants who come in at night, because people are arriving from great distances to those markets, and they require refreshments at one, two or three o'clock in the morning, and there is accordingly a relay of servants provided for the night. I think that no servants either in a public-house or anywhere else ought to be worked beyond what it was fair to expect from them.

1443. You think that there is no occasion for any legislative protection?—The question is novel to me; I think as between master and servant there should be an arrangement to do so much service for such and such times, and to get such and such payments for it.

1444. Mr. *Murphy*.] I will deal exclusively with the Bill before us in asking you these questions; have you read the Bill as proposed, or do you know what the general purport of it is?—I do.

1445. You are aware that the Bill proposes to restrict the hours for the sale of liquors on Sundays?—Yes.

1446. To restrict it to the hours mentioned in the Act?—Yes.

1447. And to have two separate periods on Sundays for sale?—Yes.

1448. Is it your opinion (and I speak now partly as a matter of police supervision, and partly as a matter of convenience to the public), that if public-houses were allowed to be open on Sunday, a continuous time would be better than an intermittent time for the opening of those houses; that one entire period from the time they would be permitted to be open until the time they were obliged to be closed, would be better than to have a period of one or two hours at one part of the day, and one or two hours at another part of the day?—As a matter of opinion I would have it continuous; I would not divide it; I think the division would not be attended with any benefit to the public, and I rather think that it would be attended with great discomfort to people engaged in that trade.

1449. As a matter of police supervision, is it your opinion that it would be better in that point of view also, to have the time continuous?—I do.

1450. By the provisions of that Bill, liquor is permitted to be sold, but not permitted to be consumed on the premises; are you of opinion that if an enactment of that kind was made a law, it would be possible to carry out such a provision,

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namely, to allow spirits to be sold, but not to be consumed on the premises?—I think not; you might have a good deal of it taken away, but a good deal of it would be consumed where it was bought.

1451. The great evil complained of with regard to excessive drinking is this, that by having a taproom open in a public-house it insensibly leads parties who otherwise might not do so to commit excesses by going in there and meeting friends, and one party drinking and offering another drink, and so on, and the object of the Bill is to prevent that taproom drinking, although to allow spirits to be bought; do you think, from your experience of Dublin, which of course is an instance of a large city, that if no taproom (for that is the way to put it in the popular sense) was allowed to be open in a public-house on Sunday, that would induce the proprietors of those houses to rent a house next them which they could let out the whole year round in lodgings, and earn the rent of, so as to have a room analogous to the taproom, convenient or next door to their house, where people could go into and sit and consume their liquor?—If you buy liquor such a person would allow you to sit and consume it; there might be something in that, but I think there would be considerable counter practice; a man would get the liquor and drink it at the counter.

1452. Do you not think that if there was in effect a taproom next door to the public-house the people would sit there?—I dare say they would.

1453. Is it your opinion that if liquor was not allowed to be consumed on the Sunday in the public-house it would lead to illicit traffic or to an undue purchase of spirits to be consumed elsewhere; for instance, if people were not allowed to consume the liquor on the premises they would probably buy more than they wanted and take it to another place?—I think there would be an immense deal of illicit traffic, and I have to observe this, I have seen at racecourses a great deal of intoxication, and I am satisfied that the means were not acquired at a public-house, but brought there, and at reviews in the Phoenix Park I have seen many cases of drunkenness.

1454. But these might be taken as exceptional cases?—I think that if they were debarred from getting liquor under ordinary circumstances they will provide themselves with it either in an illicit way or previously.

1455. The necessary consequence of that would be, that the honest trader who would comply with this law, if carried into effect, would be deprived of a certain portion of legitimate profit, which if the liquor was allowed to be consumed on his premises he would have?—I think that would be the result.

1456. The necessary consequence of course would be, that you would injure the trader to a certain extent, and you would not benefit the public?—Exactly.

1457. Are you acquainted with the habits of the artisans and tradespeople of Dublin in going out on Sundays to the various suburbs to take their little pleasure; is it the custom that a great many go out with their wives and children on Sunday to Kingstown, and various other places near home—Dundrum and all those kind of places?—Not so much as I could wish them to do, but they do stroll out, the young men seldom stop in the town on Sunday; they walk off; make

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a walking party out towards the mountains or towards the sea, or round about.

1458. Is it not natural to suppose that either going or coming back, if they found a public-house on the way, they would step in and get some refreshment; some bread and cheese, some porter, or a glass of spirits or punch, or anything of that kind?—I think it is very natural that they would; and I may mention that there is a place near Dublin, called Dollymount, in the Clontarf direction, and I have seen upwards of a hundred of those hired vehicles, the jaunting cars there, and great numbers of pedestrians; the place perfectly crowded, and the garden behind it crowded; and though I have been out in that neighbourhood a good deal, I never saw a case of disgraceful drunkenness at Dollymount.

1459. *Chairman.*] Will you explain to the Committee what you mean by disgraceful drunkenness?—I would recall the word disgraceful, and say positive drunkenness, with violence or indecent language.

1460. *Mr. Murphy.*] I presume with regard to a house such as you describe, its principal business is on Sunday?—I have heard that on a Sunday they often take as much as in all the rest of the week.

1461. Taking an instance of that kind as a representation of a class all through the country, particularly in the neighbourhood of large cities, all through Ireland, is it your opinion that if this law which is proposed now were carried into effect, namely, that for three or four hours on a Sunday liquors should be permitted to be sold, but not to be consumed there, that would tend to promote the morals of that portion of the public who would be in the habit of frequenting those places; and, at the same time, would it or would not it have an injurious effect upon the proprietor of that house on his legitimate trade?—I do not think that it would signify in a moral point of view to the people if they were precluded from having those little creature comforts which they never appeared to me, when I have been in that neighbourhood, to abuse.

1462. But it would have a decidedly injurious effect upon the proprietor's trade?—Unquestionably, without doing any good. With reference to what course I would take with those licensed houses, I may mention this, that in a street in my division there were two houses; there was one that I never had reason to believe that an intoxicated person came from, and there was another where I believe there were 40 or 50 men intoxicated every night, and in that case the proprietor would call on his people to get those fellows out before the police came round to see that the house was closed. When the unfortunate drunken creatures were put out in the street the house was closed, and that proprietor might look the constable in the face, and shut at 11 o'clock; and the way that I would do would be to shut that man up totally and entirely, no matter at what hour he allowed beastly intoxication to be practised on his premises.

1463. I want to ask you another question which has been suggested by what you have said; have you formed any opinion as to whether the hours for closing on Sunday night should be restricted from what they are at present allowed as by law; you are aware that a public-house can be kept open till 11, practically half-past 11, on Sunday night by the present law; do you think that it would be an improvement if the

hour was restricted to ten or nine o'clock on Sunday night?—I do not think there would be much resulting from it one way or the other; the houses in Dublin must shut at 11 o'clock, say on a Saturday night. The houses in Liverpool can remain open till 12, and I think you will have, comparatively speaking, as many people drunk in Dublin as you would have in Liverpool.

1464. You are not acquainted personally, or officially, or by experience of your own, with the data of drunkenness about Liverpool, so as to compare them with Dublin?—No, I am not.

1465. You do not know Liverpool as well as you know Dublin?—I do not.

1466. *Major Gavin.*] It has been given in evidence that it would tend to check drunkenness a good deal if the public-houses were closed early on Saturday evening; what is your opinion with reference to that; the reason given is this, that many labouring people and so on, get their wages on Saturday, and go, after having received them, into a public-house, and drink too much there, and then continue it again on a Sunday. Do you think if public-houses were closed earlier on a Saturday night so as to check that, it would have a beneficial effect?—It might, of course, prevent many cases of intoxication, but, I believe, in my town the practice is for respectable employers to settle at rather an earlier time on a Saturday with their workmen.

1467. Although they may be settled with at an early time, yet they are not relieved from their duty at that early time; they go away, I suppose, at six o'clock, the usual hour?—Or some of them even later. I do not think if the police returns were looked to, that there is a greater proportion of drunkenness on a Saturday night than for any other night in the week.

1468. *Chairman.*] Are you acquainted particularly with their returns, because we have returns from the Commissioners of Police for the last five years, which go to show that there is a very much larger proportion on Saturday?—I have not been in office for these five years.

1469. *Major Gavin.*] But I would like to get an answer to the last question; whether you are of opinion that the closing of the public-houses early on the Saturday would have a beneficial effect in checking the drunkenness on the Sunday; that is to say, a man takes to drink on Saturday night, he has his money in his pocket, and has something left on the Sunday, and continues the drinking; we have had evidence of that?—If he is a person of an intemperate disposition or intemperate habits, he will not be so well able to indulge in those habits if the houses are shut, unless he goes to some illicit place.

1470. You think if the public-houses were shut, he would find an illicit place to go to?—I do in Dublin.

1471. You stated in answer to the Honourable Chairman, that you thought that if this was passed into law, it would be evaded; that in effect it was generally the case that Irishmen were glad of evading a restrictive law; did I not understand you to say something to that effect?—I think that an Act of Parliament would not have anything like the effect upon them that a moral suasion and a religious influence would.

1472. Are you aware that we have had evidence before us here, that the Roman Catholic Bishop in Tipperary, and the Roman Catholic Bishop in Kilmore, without the aid of an Act of

of Parliament, had succeeded in closing every public-house on the Sunday, and even persons not of the Roman Catholic persuasion have aided and assisted in carrying out their wishes?—I am aware, myself, on the very best authority, that in the diocese of Ferns, last Saint Patrick's day, the 17th of March, the public-houses were all shut, and nobody would have gone to them if they had been open.

1473. Do you think, in Dublin, from your experience, that if the Roman Catholic clergymen were assisted by such a law as we are about to pass, that law would succeed eventually in not being evaded?—I protest, that I think if they banded themselves together without the law at all, they would do it just as well.

1474. Then you suppose that if they did use the exertions which other clergymen have, they would succeed in their object?—I wish to say this, there may be very much greater facility in a rural district, in a county like Tipperary or Wexford, for effecting such a matter, than in the close and dense population of a city.

1475. But you say, yourself, that within your knowledge, within the last 20 years, drunkenness has been checked considerably, from the education of the people, and from their having better habits and better modes of amusing themselves, and of course having been benefited by religious influence?—I think the influence to which you refer would be very strong; it is very strong in Dublin, but I do not say that it would be as strong in Dublin as it would be in the rural districts and in the country villages and towns, but I am satisfied that it would be very strong in Dublin.

1476. Then I may arrive at this conclusion, that you are of opinion that if this law was aided and abetted by the Roman Catholic clergymen and all the clergymen of all persuasions, it might be carried out in a respectable way, and not evaded?—That is the principle of substituting sobriety for excess and intoxication; if they inculcated that, and enforced it morally, and insisted upon it, I may say, with their flocks, the desired effect would be arrived at.

1477. *Chairman.*] Would you approve of a change in the law which would enable the magistrates to inflict a fine upon persons found drinking in a public-house at the time at which it was closed by law as well as on the owner of the house?—I would not, whatever the law may be; I would put the consequences of an infraction of that law within the walls of the premises, upon the proprietor of those premises.

1478. You mentioned that there are refreshment houses in Paris, near the markets, which are kept open the whole year through; you have resided a good deal in France, I believe?—I was in Paris for upwards of 18 months.

1479. Are you not aware that there are a great many manufactories, shops, and every sort of mercantile establishment in France that are kept open from year's end to year's end, without any regard to Sunday, and that there are a great many thousands of working men in France compelled to work every day in the year?—I am quite aware that there is a trade carried on on the Sunday without any respect to the day, bricklayers, carpenters, masons, and plasterers, and I believe that the Government is not averse to that, because I have seen the public works going on at the Tuilleries on the Sabbath, and if Government wished to have the Sabbath re-

spected, they would not have the public works carried on in their own palace.

1480. You may add another fact, that the Government establishments used to be kept at work on Sunday; then I think that I may infer from that that the fact that the refreshment-houses are kept open in France would not be an argument in favour of keeping refreshment-houses open in this country, where we do not keep other establishments open upon Sunday?—I have noticed that merely for this purpose, that though they were open Sunday and week-day, and without restriction as to hours, still I could not see the intoxication.

1481. I will just ask you one other question; are you aware that in France, for many years back, the greatest efforts have been made by the clergy, and by all persons I may say interested in morality, to put a stop to the practice of working and trading on Sundays, which sprang up at the revolution?—I know that all the clergy and all persons in religious orders that I have had any communication with are opposed to the habitual infraction of the Sabbath; and if I were to give a suggestion to the French Government it would be to pass a law to order the people to work upon a Sunday, and if it came out that there was an order that they should work upon the Sunday they would not do so.

1482. *Mr. Pim.*] You have said a good deal about making publicans accountable for giving drink to persons already drunk upon their premises; do you think as a magistrate that that could be practically worked out?—I do. I think that by giving authority to the proprietor of the house, and supporting him in the exercise of it, it could be done.

1483. Would you propose to visit an infraction of that regulation by a penalty, or depriving the house of the license?—There was a house where two fellows insisted upon having drink, and the waiter refused to give it them, and they kicked the waiter for refusing to give them what they required; they were brought before me next morning, and I made them pay sixpence each to the Queen, and forty shillings each to the waiter, and I do not think the waiter had the least objection to the manner in which I disposed of the case, and I do not think that those fellows kicked a waiter again for a considerable time.

1484. *Mr. Pollard-Urquhart.*] Is it your opinion that the people use the public-houses open on Sunday afternoon to entrap people into the Fenian conspiracy?—The Fenian conspiracy has cropped up since I ceased to be a police magistrate. I had to deal with a former piece of folly—the young Irelandism of 1848; I have no reason to think that there were any facilities afforded to it by the public-houses more than would have been afforded to the meeting of people engaged in any other project.

1485. But am I to understand from your own experience that you are not able to give the Committee any information with reference to the point I have just spoken about, namely, about the Fenian conspiracy having been got up very much in public-houses on Sunday afternoons?—No, I am not able to speak to that.

1486. *Mr. Murphy.*] In answer to a question put by Major Gavin, you stated that if the clergy of all denominations impressed upon their flocks the necessity of sobriety, and created what we

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could they be practically carried into effect unless aided and assisted by the moral feeling of the people themselves?—No; I am sure they would not.

1487. It would require that, in order to make the Act practicable?—It would.

Mr. MICHAEL CAREY, called in; and Examined.

Mr. M. Carey. 1488. Mr. *Murphy*.] I BELIEVE you are a member of the Town Council of Dublin?—I am.

1489. And you are a member of the Board of Guardians?—Yes.

1490. And last year you were a member of the Board of Superintendence?—Quite so.

1491. I believe you are President of the Licensed Vintners' Association of Dublin?—I am.

1492. You have been, it is needless to say, a great many years engaged in the trade?—20 years.

1493. You are acquainted, I take it for granted, with the habits of the middle classes and artisans, and all that class of people in Dublin, and with regard to their general mode of life?—I am; I was myself, let me be understood, a working tradesman; I served my apprenticeship to a trade, worked at it as a journeyman, as a foreman, and as master before I went into the public-house business, and I am perfectly conversant with their manners, being myself often on their Boards in conducting their society.

1494. Can you give me any opinion, from your own observation, whether or not drunkenness has increased in Dublin?—It has decreased; I hold at present a return from the Inspector General of Prisons for the years 1864-5-6, and 7, and with your leave I will quote it. I find that in the year 1865 the number of cases of drunkenness was 1,212.

1495. *Chairman*.] Those were cases of committals I suppose you mean?—Yes, cases of committals. In the year 1866 the number was 703, and in 1867 the number was 525; and I find that from the 1st of January to the 31st of December 1866, the total number was 4,108 committals on 1,815 people, some of them being 34 times committed. I called the attention of the Board to this in the year 1867, that we had no detailed account of the number of committals of the different persons. I find now that the Inspectors General have acted upon that; that they have given their return of 1,815 for 1866 on a committal of 4,108 cases; and that, in the year 1867, for 1,613 persons, there were 3,719 committals, making a very serious decrease.

1496. Mr. *Murphy*.] Have you taken the average of each of those cases?—No, it is nearly one-third, three times the amount of committals.

1497. To what do you ascribe the decrease of drunkenness; have you formed any opinion about that?—Yes, I have. In the year 1860 we ourselves went forward to obtain an extension of time to 11 o'clock on Sunday night, and that was for two reasons, namely, that the beer-houses and the spirit-grocer-houses being open, when we closed at nine on Sunday night, was the cause of the gentlemen—such as the gentlemen on the Committee, not conversant with public-houses, pointing out those persons committed in the morning as coming from public-houses—we struggled to make that trade respectable, and endeavoured by our laws and regulations to prevent drunken-

ness, and to prevent our members from giving drink to any person in a state of intoxication. In 1851, we presented a memorial to the Board of Inland Revenue, of which I have a copy; that memorial stated fully our object in calling on the Revenue, if possible, to set aside the drunkenness, and to set aside the irregularity of conduct on the part of these Revenue grocers, who get their license without any qualification but the payment of money, no questions being asked but merely, is the money ready? Here is a copy of the memorial (*producing the same*), and we received an answer to that from the Board of Inland Revenue, stating that they regretted exceedingly that being the case, but that it was as much a police question as a Revenue question, and we then applied to the Police Commissioners. We then received an order to give the names of all those houses where spirits were consumed, and the consequence was that barriers were thrown up in the spirit grocers houses to prevent the police doing their duty; but they did it remarkably well; they are now compelled to prove the sale, and it is very difficult to do that.

1498. In fact the effect of your statement is simply this, that the license to grocers to sell spirits, although it positively enjoins that those spirits shall not be consumed on the premises, has had the effect, nevertheless, of allowing the consumption to take place?—Yes.

1499. And that the law as it at present stands cannot effectually prevent that?—It cannot.

1500. Although the Act of Parliament expressly prescribes the contrary?—Directly.

1501. You mentioned that in 1860, I think, your trade, in consequence of the operation of the recent Act then passed, which allowed the spirit grocers and others to keep open until 11 o'clock at night, and which in the case of the licensed vintners restricted their hours to 9 o'clock, found it necessary to procure an alteration of the law?—We did, for two reasons; the discontent evinced by our customers at being shut out at 9 o'clock, and getting their drink at spirit grocers and beer-houses, compelled us in self-defence and in defence of our character, to go to the Board of Inland Revenue and to the Police Commissioners to endeavour if possible to do away with that evil.

1502. Was the consequence of that that your hours were extended until 11 o'clock?—We sought for that, and the 23rd and 24th of Victoria c. 107, s. 43, extended the time until 11 o'clock on Sunday nights, and since then I think there has been less drunkenness than before.

1503. Prior to 1860, when the hour of 11 was given to you, how late did those other houses which had licenses, viz., the revenue grocers, remain open?—There is no limitation to their hours, none whatever.

1504. Can they keep open all night?—They can.

1505. *Chairman*.] Can they keep open all Sunday?—They can keep open every day in the week;

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week; that is the law; there is no limitation whatever of the hours to which they may keep open.

1506. Does not the common law, which shuts up all shops upon the Sunday, apply to those?—The 7th of William 3 is called the Sunday Trading Act, and is in full force, and I have known a case where a spirit grocer, in order to show his contempt for the magistrates of Dublin, used to send them 4s. 7½d., that is 5s. Irish, so that they need not have the trouble of sending a policeman for it, and then selling liquor all day on the Sunday at all hours.

1507. Mr. *Murphy*.] He conceived that the fact of paying the fine qualified him to keep open the place, although the law did not allow him to do so?—By the 3rd and 4th of William 4, under which we take out our licenses, every detection is a conviction and a fine, but with them there is only one fine during the day; under the 7th of William 3 there is only one fine.

1508. They are fined for doing so, but are not prevented from doing so?—That is so.

1509. Mr. *Pollard-Urquhart*.] In fact the fine was fixed at a time when money was much more valuable than it is now; was not that so?—That may be so, and the value is the same with ourselves.

1510. Mr. *Murphy*.] Have you formed an opinion as to what would be the effect of the passing of the Bill upon which the Committee are now sitting; would it, in your judgment, tend to increase or to decrease drunkenness, or would it have any effect upon furthering or otherwise, the morality of the City of Dublin?—I fear, and greatly fear—I am positive upon the matter—that it would do a deal of injury, not as regards publicans; I would throw them aside altogether, we care nothing about it as a trade question, because in our society we make it a rule that any man who breaks the law, has no protection from that society; our solicitor is not permitted to attend to him, and he has no protection from the society. If a man, no matter how respectable in his ordinary dealings in life, solicits admission into our society, and he is under any restrictions to the police during the time he solicits admission, he would not be listened to for a moment, he would be rejected; and we feel it our moral duty, and the duty of the whole of our trading society, not to give drink to any man who exhibits the slightest sign of intoxication, on the Sunday, or on any other day.

1511. Then how would the passing of the Bill now under consideration in your judgment be liable to increase intoxication or excess, or how would it be liable to act injuriously upon the morality of Dublin?—There is really more drunkenness on Sunday mornings when the public-houses are closed than there is afterwards; but if you shut the orderly houses, and prevent people getting those refreshments, you would have men walking about the pavement outside; there are between 70,000 and 80,000 operatives in Dublin, and many of these men only pay about 1s. a week for their beds, and have no place in which to store their liquor; but they must have refreshment and they go into illicit houses, and that great evil of all evils, night-houses, will spring up.

1512. Are you of opinion that the total closing on the Sunday would have very injurious effects?—Decidedly.

1513. Then you are of opinion that the modified closing, namely, permission to sell, but not permission to drink, would have the same effect?

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—It would be a monstrous thing, you could not carry it out, and no police force could be got to carry it out; because a man walks into your house, and if you tell him to walk out with a glass of whisky, he would drink it on the step, and persons going to church would see that going on, and that would be immoral in every sense.

1514. You are of opinion that it would be better that if spirits were allowed to be sold on the Sunday at all, their consumption should, so far as the existence of a proper licensed house is concerned, be regulated within the house, than to have the consumption take place elsewhere, without supervision?—Yes, exactly. If the men establish clubs in their private houses, they will not sit there, you may depend, without playing at cards. They cannot do it, and they will not do it. But if men come into a public-house which a respectable man keeps, he would permit no card playing, particularly on the Sunday, and no drunkenness.

1515. Are you of opinion that if the consumption was prohibited in a licensed public-house, a class of rooms like tap-rooms, annexed to, or close to the public-house, would spring up?—That might be so, but I do not think they would; people would get drunk in the barber's shops, and in the huckster's shops, and in the cigar divans; and I would be sorry to believe, though I am sorry to say the example is set in Scotland, that they would get methylated whisky at the apothecaries.

1516. Your opinion in one word is this; from your knowledge of the trade, and from your practical knowledge of what the habits of the people are who wish to drink, this proposed Act of Parliament would be totally inoperative in any way to prevent, or to cause a decrease of excess in drinking?—Totally inoperative; you would injure the honest and honourable man, and you would help the rogue.

1517. Can you give any opinion as to what the nature of the trade of vintners in public-houses in the rural districts about Dublin would be; are you sufficiently acquainted with that?—There are a great number of young men, drapers' assistants, and others, of different trades in Dublin, who walk out on Sundays four or five miles, to Goat's Town and Dundrum, and the neighbourhood, and if they found that they could not get refreshments at those places, it would be very hard; and I think it would cause a great deal of discontent, and a great deal of annoyance.

1518. Have you any idea of what the comparative nature of the consumption by those public-houses in the rural districts is on Sundays as compared with what it is on other days in the week?—It would be much more, because people walk out from Dublin to enjoy themselves on the Sunday evenings, and then when they come back they look for that refreshment at nine or ten o'clock. I believe that the drapers' houses close about 11 on week days, and then they are locked out; but they are highly respectable, and they would not run any risk; they must go to the tavern and public-houses and get refreshment.

1519. Are you prepared to say, from any knowledge of your own, or from such conviction as you feel warranted in giving to the Committee, that the amount of trade done in those rural houses is sometimes three times as much as upon any other day in the week, and in some

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cases as much as in all the week together?—In some cases, but not in all.

1520. But, as a fact, the trade done on Sundays is a very great deal more than upon any other day in the week?—Twice as much, you may say, upon the average.

1521. The effect under the total closing would be that it would be very ruinous to the proprietors of all these houses?—It would, and at the same time cause a great deal of dissatisfaction.

1522. I am talking of the effect upon the trade of those houses themselves?—It would in fact destroy it; they would in fact take out the revenue license to protect themselves, and sell all day on Sunday if they thought proper.

1523. They could do that?—They could do that.

1524. Then with the present state of the law, with the power to issue a revenue license, supposing this Bill was passed, in itself it would be no use at all?—It would be no use.

1525. I think that you said that there were about 70,000 of the working classes and artizans in Dublin?—As closely as I could say.

1526. Their habit is to walk out on Sundays?—Yes, and to meet one another.

1527. And it is unnecessary to ask whether the closing of these public-houses, whether wholly or partially, would be a very great inconvenience to those men?—It would, and cause a great deal of discontent.

1528. Has your society entered into any rules for the purpose of making the trade more respectable, and also of preventing the sale of liquors by illicit houses?—Certainly we would not permit it.

1529. *Chairman.*] I understand that you are entirely opposed to the total closing on Sunday?—I am.

1530. Are you also entirely opposed to any distinction during the hours in which houses for the sale of drinks are to be opened between drinking on and off the premises?—Decidedly.

1531. Are you also opposed to any further limitation of the present hours for the sale of intoxicating drinks on Sunday?—I have already told you that owing to the discontent we experience from customers, and the discontent from the public generally, we were compelled to go forward in 1860 to solicit from the Legislature an extension of the hours.

1532. But that was because another branch of the trade, another class of men who sold drinks were open; but assuming the restrictions applied to all persons selling intoxicating drinks; would you be opposed to a further limitation of the hours?—I would. I have already stated what I believe to be the fact, that the barber's shops and the beer-houses would be the places where they would drink.

1533. I was glad to hear you state that your trade cared nothing about it as a trade question?—We did not; for my own part it would serve me very much, being a tavern keeper.

1534. You say you thought that the licensed houses being open for the sale of drinks would tend very much to diminish drunkenness; do you include the country districts throughout Ireland in that statement?—I have no sort of knowledge of them. I cannot say much with reference to them, but I speak of a town where the working classes are numerous, and where they are confined, during the hours of work, from five in the morning, to use that phrase (because they must

get up at five in the morning) until seven, then it is time to go to their bed to be up in the morning early. These men being confined during the week, naturally would look for a little recreation on the Sunday, whether in the country or in the city.

1535. Was I right in concluding, as I did, that your evidence is intended only to apply to the large towns, such as Dublin and the suburbs, but that you have no knowledge about the country?—I have no knowledge about other towns, I do not know what their moral feeling would be.

1536. You mentioned that no respectable publicans would permit intoxication upon their premises. Am I right in saying that most of the publicans in Dublin are respectable?—Yes, that is so.

1537. Could you explain where the large number of drunken men who are found in Dublin do come from?—I wish I could.

1538. I suppose we make take it that they do not get intoxicated in public-houses, and yet there are a large number of them who do get intoxicated. The question is, where they get the material to be intoxicated upon?—I honestly believe that no respectable publican would open his house for drink on Sundays.

1539. To a drunken man?—To any other man.

1540. Not on Sundays at all?—Not during the prohibited hours.

1541. You referred to the return which we have got from the Inspector General in Dublin?—Yes.

1542. A return was laid before the Committee from the Commissioners of Police in Dublin with regard to the number of arrests for drunkenness in the years which you have mentioned, which showed that large diminution in the number of arrests in the last few years; but appended to it was this remark by the Commissioners of Police: In the two last years in which this diminution occurred, the police in Dublin, in consequence of the disturbances, had patrolled two and two, which, states the Commissioners, may probably account for the diminution in the number of arrests. I suppose you would not be disposed to contradict that opinion of the Commissioner of Police?—I would add to that. I would say that the Fenianism which sprung up in some places in the country, had a wholesome effect upon some people who were in the habit of taking more than was good for them, and they do not take it now.

1543. So that that diminution in the number of arrests is not an absolute proof of a similar diminution of drunkenness?—I think it is a rule with the respectable operatives now that they will not drink to get drunk.

1544. But that diminution in the number of arrests does not prove to its full extent that diminution in the number of cases of drunkenness, because the number is probably diminished by the police being patrolled two and two?—The police will not arrest unless there is drunkenness; but the police had not the opportunity of doing it, for the men were generally speaking sober.

1545. This Bill, as at present framed, would not touch the revenue license?—That is quite true.

1546. And, consequently, it would injuriously affect the publicans?—Certainly.

1547. Would it not be easy so to frame it as to include every license?—Again permit me to ask,

er's shop and huckster's shop?

1548. Excuse me for following the question; you mentioned that this Bill would not touch those selling under a revenue license; my question has nothing to do with barber's shops; could there be anything done to make the Bill affect those selling with the revenue licenses?—There could not be any difficulty about it, but it would not cure the evil.

1549. It would answer their object?—There could be no difficulty about it.

1550. Will you tell me how many assistants you keep in your house?—One for my coffee-room, independent of my maid servants and male assistants.

1551. What are the usual hours at which publican's assistants attend at the shop on week days?—They are generally engaged, on the average, from about eight o'clock in the morning until about half-past eleven at night.

1552. And on Sundays?—On Sundays from 10 in the day to about eleven at night.

1553. You have always taken a good deal of interest in this question; have you always been an uncompromising opponent of Sunday closing?—Certainly not; I should be most happy if the Sunday closing were carried out, if it could be carried out.

1554. Were you ever of opinion that it could be carried out?—I was.

1555. You have spoken a good deal upon this subject, and have given very good reasons, no doubt; I have some of them here, and I just wish to know whether you are still of that opinion. You are President of the Grocers and Butchers' Society, are you not?—Yes, I am.

1556. At a meeting of that Society you spoke of this Bill as a "blow that was sought to be struck at the last remnant of manufacture in this country, by closing the breweries and distilleries;" do you still think that it would be a fatal blow to the only manufacture in Ireland?—I do not remember having spoken that; I saw a statement in last Monday's paper, but it was not the truth.

1557. But what is your opinion upon that point now, assuming that somebody else said it?—If I said it I must have facts to prove it, but I believe it would be of no service.

1558. But you do not think that it would be quite fatal to our trade?—I think it would create a great deal of illicit distillation.

1559. Have you any reason to think that the brewers and distillers in Ireland are very much alarmed with regard to the prospects of their trade with reference to the chance of this Bill passing?—I have not consulted them.

1560. But they have not, in fact, opposed the Bill?—I think they are inclined to do so; I think they are men who are superior in wealth, and they feel it quite unnecessary to go amongst the working class of men like myself to oppose it publicly; but they know the hardship of it.

1561. There was another argument used against this Bill at your society by another gentleman, and I wish to know your opinion as to whether you agree with it, or not; it was upon this ground, that "in the first place, it would shut up all the public-houses in Ireland 55 days, or 8 weeks in the year;" and he asks "are you" (the trade), "a consenting party to this confiscation?" may I ask your opinion with regard to that; do you think that the publican has a natural right to

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trade upon those 55 days in the year?—I think when the law has permitted it for 40 years, without any visible increase of drunkenness, and without any encroachment upon the law of the land, we may fairly assume that these persons who have invested capital in those houses have a right to be supported.

1562. Will you explain what you mean by "40 years?"—Since 1833, that is 35 years.

1563. Then you think that the case of your trade is different from that of others, and that you have an inherent and natural right to trade upon Sundays?—I think that when the law enabled men to lay out a vast amount of capital in the trade, and by a license to prevent others from embarking in that trade, those men have a right to be supported in the fullest manner, and to get the greatest amount of support possible from the Legislature.

1564. And then there is a statement attributed to you, and although I believe it to be true, I should be glad if you would give me some proof of it: "There might be some drunkenness in the country towns, but in the City of Dublin, where there were 25,000 operatives, independently of labourers and others, there was less drunkenness than in any other large town in the kingdom;" I am quite ready to believe it, but could you give me any proof of it?—I quite believe that I was right; naturally, you would expect that there must be, from the knocking about of such large numbers of people, more drunkenness in Dublin than in any other town; but with the education which has been increasing amongst the people in Dublin, then, I say, there would be more drunkenness in the country towns than in Dublin.

1565. But you are not prepared to stand to the assertion, that there was less drunkenness there than in any other town in the kingdom?—I say that there is less drunkenness there than at Liverpool, less drunkenness than in London, less than in Glasgow, because in reading from one of the Blue Books, I find that Captain Smart, who was commandant of the Glasgow Police, stated in his examination (and it was reported first by the Alliance Society, and I must believe it to be true, they having reported it), that in the year 1853, when Forbes Mackenzie's Act passed, there were two shebeen houses in Glasgow, and that when the Committee was sitting in 1863, there were 1,600; and when he was asked how it was that coming before the magistrates the same amount of drunkenness did not appear, he stated, that all the station-houses in Glasgow would not hold them; but that if they found a half-crown or 5 s. in a fellow's pocket when they found him drunk in the street, they took it out; and if he chose to come and claim it the next morning he could do so, but if not, he went without it.

1566. Then, again, there is this statement, that all the police magistrates in the city of Dublin are entirely against it?—Yes.

1567. Is that the fact?—I have not had an interview with all of them, but with a great number of them, and Mr. Dicks, the other day, deprecated the Bill altogether.

1568. Could you furnish the Committee with the names of those authorities in writing, who will either give that statement in writing here, or verbally, that they are opposed to it?—I would rather leave that to another witness, if you would allow me.

1569. I am referring to the report of your society, which I think was presented under your presidentship;

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presidentship; I suppose you are aware of that report?—Yes, I read it.

1570. I see in that report it is stated that the advocates of this Bill have used “misrepresentation, forged petitions, and clerical intimidation;” could you give the Committee any instance, for example, of forged petitions?—I should not like to take the name of a clergyman at all.

1571. I left that part of the question out purposely; but I am speaking of forged petitions?—I know a number of petitions have been got up for the Bill signed by children, and that the petition has been hawked through the schools for the signatures of children; I myself handed to the Honourable Member for Dublin, last year, a petition against the Bill, signed by 3,400 of the tradesmen of Dublin, which was brought to me to hand to the Honourable Member, and he presented it.

1572. I see a recommendation in the report that every exertion should be made to get up petitions against the Bill?—From our own society.

1573. Will you tell the Committee what success has attended those exertions?—I presented, through Sir John Grey, a petition last year, signed by, I think, 400 of the licensed vintners of Dublin against it.

1574. And I will add that there was another petition signed by a considerable number of publicans against it from the city of Cork?—Yes, there was.

1575. Can you mention whether there has been any other petition against it?—No.

1576. The result, I may take it, of those active exertions has been those two petitions?—We never stirred beyond the city of Dublin; we wished to leave every town to itself.

1577. Would you tell me what is the feeling of your trade in other parts of Ireland with regard to this Bill?—Mr. Barry, of Cork, has written up to express a great deal of indignation, and to state that the feelings of the people were very much against it, and that if passed it would cause a great deal of discontent and inconvenience.

1578. I am speaking of your trade?—Yes, so am I; he is a member of our trade.

1579. Limiting your conversation to Dublin, I find it stated that that association “were the protectors of trade, for the speaker was sorry to say, if they depended upon the trade to defend themselves they would be in a bad state indeed;” have they raised from that apathy since?—There is a great deal of apathy in every trade; in every portion of the public two or three men will always do any committee’s work.

1580. And I see you made the statement that you for one would not go to London with the deputation unless the trade supplied the proper means of defence, and would come forward promptly with their assistance; may I infer that they have come forward promptly with their assistance?—They have, and they have not; they did last year.

1581. There is another statement in the report which I should like you to explain to the Committee: “Benevolent funds have enabled your committee to faithfully discharge the trusts reposed in them. In addition to their ordinary duties, your committee had to gird on their armour and make battle with the modern Pharisees” (the authors of this Bill), “whose inextinguishable greed for notoriety impels him to undertake the most utopian projects.” May I

infer from that report that those benevolent funds have enabled you to carry on the opposition to this Bill as you have done?—Not one shilling of them.

1582. Then that statement in the report was not what I will call strictly accurate?—If you will read that properly you will find that the benevolent fund is a distinct fund altogether, there are two branches to our trade, the trade, protection and the benevolent fund.

1583. I understand your explanation; that it does not apply to it. Then I see that a deputation from your society, of which you were one, after coming to London last year, went home “animated by the determination to spare neither energy, money, nor influence to oppose the third reading” of this Bill. I presume I may infer that you have spared neither energy, money, nor influence?—As far as energy and influence went, we did, but as for the money, we did not get that from the trade.

1584. But, however, you have, as you have declared you were determined to do, used every effort to defeat the Bill before Parliament?—The people look on it that the Bill will never pass; that it is just too utopian, and, therefore, they could not pass it; they think that the Legislature could not trespass on the rights of the people in that manner.

1585. I see you state there that the gentlemen who used to attend the meetings had left them?—Yes, that was what I tell you, that they thought it was all nonsense; that the Bill could not pass.

1586. But we may take it that those exertions made against the Bill have resulted in the fact that you have neither spared energy nor influence against it, and we may take the results as what we see?—I spoke of our own city.

1587. May I take it that with the exception of your own city and Cork there is no petition against the Bill?—And Drogheda.

1588. Will you state to the Committee the facts relative to Drogheda?—They have written to us and sent up a subscription to enable us to defend ourselves against the Bill; and they state, as I said before, that it would be very inconvenient, and would tend to drunkenness more than anything else.

1589. With those exceptions, we may take it that your trade throughout the country has been apathetic?—We did not apply scarcely to the country; the northerners seemed to take it upon themselves; we had letters from Belfast, that they were going to oppose the Bill in every respect; the letters are upon the file.

1590. Would you have any objection to all branches of the spirit trade being put upon the same footing?—If they paid the same money I would not.

1591. If they paid the same license money, you mean?—No, if they went to the same expense; a man lays out perhaps 2,000 £. in the embellishment of his house, and makes that house highly respectable, and fit for the entertainment of the middle classes as well as of poor men, and although he has paid 700 £. or 800 £. fine for the house, a man comes beside him and takes a house at a lower rate, and without laying out a single penny as a fine; and you ought not to give that man a license at the same price as the other; it would be a great injustice.

1592. But could not the publican have got a license without spending that money upon his house;

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house; that was not the condition without which he could not have got his license?—No; he must first pay a very heavy fine for his house, which is put up to auction. I may say that I should be very happy to see the licensing placed in the hands of a lawyer every quarter session. A man pays a sum of 2,000*l.* or 3,000*l.* for the house.

1593. He paid that for a house which has already a license attached to it; is not that so?—Yes, quite so; and then another man comes next door at a less rent and opens a spirit grocer's place, in the hope that he may perhaps, under the Act, if passed by this Committee, get a license in the same way as the other man gets it; and that would not be justice.

1594. Am I right in understanding that the objection to making licenses uniform is, that persons who have got a vintner's license at present have got it by paying a very high price for a house to which a license is attached?—Exactly; and the vast majority of them are those that have come late into the market.

1595. But as far as the law of the case is concerned, that does not apply; the license might be the same?—The license might be the same.

1596. Supposing the Committee were to be of opinion that it was desirable to diminish the hours for the sale of drinks on Sunday, could you give any opinion upon what would be the best limitation; or do you stand out absolutely for the full present hours?—I say it might be advisable to limit the hours till nine o'clock on Sunday; that the house should be open from two till nine o'clock, to consume the liquors on the premises and off.

1597. With regard to Saturday night, would you be an advocate for closing earlier than at present?—No; a great number in the building trades and the shoemaking trades do not pay their men until nine o'clock; and it is very hard to get money on bills in Dublin sometimes, and then they have to get those bills cashed, and the men cannot get their liquor without the money being paid; they must get it at that time, and if you limit the hour on Saturday night, you do an injury to the poor men.

1598. You think it would be a serious injury to the poor man who does not get his wages until ten o'clock on Saturday night if he had no opportunity of getting his drink; in fact, if he went to bed on getting his wages instead of having an hour's drinking before he went to bed?—In my opinion he has a right not to be deprived of his refreshment if he demands it and requires it.

1599. Then if they paid the wages at eleven o'clock, I suppose you would keep the place open until twelve?—No, that would be a very exceptional case; I know of no employers who pay so late as that.

1600. Do you know what proportion of the tradesmen in Dublin pay at ten o'clock?—I know that the shoemaking trades very generally do; and the builders very frequently do not have their men in from the country to get their wages until late.

1601. You think that men have a right to get rid of part of their money on the Saturday night?—I repeat that they have a right to their proper refreshment.

1602. Mr. Pollard-Urquhart.] I understood you to say just now that there is nothing in the law at present to prevent those spirit grocers from keeping their house open all night, upon paying a small fine?—Five shillings, Irish.

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1603. Do the spirit grocers generally take advantage of that privilege?—They do not during the hours of Divine service, even when they sell to drink off the premises; but, with very few exceptions, they do not admit to drink upon the premises at all during those hours.

1604. Is there much Sunday morning trade that takes place at those spirit grocers?—I cannot tell; but I know that a great deal of drunkenness takes place on Sunday mornings.

1605. Does it take place at the public-houses?—They are not let into public-houses; they are let into the taverns.

1606. Would you say that on the whole those spirit grocers are as respectable a class of men as any in Dublin?—I do not dispute their respectability for a moment; Mr. Falkner, Grafton-street, is one of the most respectable persons in Dublin and he is a spirit grocer, and Alderman Campbell, Sackville-street, is a spirit grocer, and Mr. Andrews of Dame-street; those are highly respectable men, but this law has been made subservient to bad men as well as good.

1607. Mr. Pim.] A good deal of stress was laid by Mr. Porter, a previous witness, upon the advantages that would be derived from making publicans responsible for persons getting drunk upon the premises, or for giving drink to persons already partly intoxicated, and he proposed a fine in such a case, and even if persisted in, withdrawing their license; I think you have already stated that there are comparatively few licensed vintners who would do such a thing; that you would consider it very disreputable; but I wished to ask you whether you thought that any public advantage would be derived, or that it would be feasible to work such a penalty as Mr. Porter recommended?—It would be a gross injustice; I heard Mr. Porter's observations, and I do not at all agree with him, because any drunken fellow might enter your house and be drunk and refuse to leave, and if he was caught there you would be fined.

1608. I do not think that there would be any difficulty upon that point?—It would be necessary to prove the sale; but to use the old phrase, we should leave well enough alone.

1609. You do not approve of Mr. Porter's suggestion?—No, I do not; and under the Act under which we sell, any man convicted three times within six months loses his license.

1610. You referred to your arrangement as to opening on Sunday having existed 35 years, namely, since 1833; was that the year in which the Act usually called Perrin's Act was passed?—It is.

1611. I see here that at the Grocers' Assistants Association a letter was read from Cardinal Cullen, one paragraph of which is, "The law which forbids the sale of other articles on that day should surely make no exception in favour of liquors, the abuse of which is so unfavourable to the public?"—That is quite right, the abuse.

1612. What reason can you give why the law should be different as regards the sale of liquors from the sale of other articles?—The sale of liquors is a sale for refreshment and necessity, and the sale of drapery is not; you may buy it on Saturday and keep it for a month or a year.

1613. Is it not possible to provide the liquor the day before?—The working class have not a place to store it, many of them; there are many men who pay only a shilling a week for their bedroom, and who have no place to put it

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away in; they are merely flitting tenants, from week to week, or night to night.

1614. Therefore the only reason that you give for making that exception in the case of liquors is upon the ground of refreshment and necessity; that the persons who require that refreshment have not a place to store it?—Yes, exactly.

1615. Does that render it necessary to keep the places open all day?—From two to nine it would be necessary.

1616. You have stated that the people in your employ work from eight to eleven on week days, and from two to eleven on Sundays?—Yes.

1617. That is very much longer than they work in other trades, is it not?—Yes; but at the same time in the case of taking stock in any other business when the necessity arises the hours are prolonged.

1618. I have received a letter from a gentleman who writes on behalf of the Grocers' Assistants' Association, in which he says that the hours of labour are so severe, from 16 to 18 hours a day, during which time they are standing on their legs, that many of them become disabled before half their life has passed from disease of the limbs; do you consider that to be the case?—I consider Mr. Porter's answer to be a very good one, with reference to that, when he states that any agreement can be made between the employer and the employed which would do away with the necessity of any legislative interference in that respect.

1619. Are there many persons employed in the public-houses who are under age?—Very few, I believe.

1620. Still that answer would be very fair as regards the working hours on the week days, but it scarcely applies to the preservation of a weekly holiday?—That may be your opinion but it is not mine; I think it applies wherever a man is required to work; I again say that if a necessity arises, whatever the business is, the operative is obliged to remain and do what is necessary.

1621. Mr. *Murphy*.] Is it your opinion that if any enactment be made for the hour of closing, all houses for the sale of liquors should be made to close at the same time?—Decidedly.

1622. You are not of opinion that, as was the law prior to 1860, one house should be kept open to 11 and another closed at nine?—Certainly not.

1623. Are you of opinion that the same rule should be extended to every house that deals in spirits and liquors?—Yes; and to every house that is in trade at all, otherwise it would be of no use.

1624. Do you mean that you would extend it to all houses in trade?—Yes, as a Sunday trading Bill.

1625. Major *Gavin*.] I presume you are a married man, and have a family?—I am a married man with a family.

1626. Do you not think it would be for the benefit of the greater number of people that public-houses should be closed on Sunday?—I do not think any such thing.

1627. You do not?—I do not.

1628. Then I suppose by that, you would not object to your son going into a public-house and spending his time there on the Sunday?—If his education did not teach him better, he perhaps might do it, but I have a very strong feeling on the matter, that it would be injurious to draw

such a class division, as that the respectable classes should be able to get all the refreshment that they think necessary, when the working man is precluded from doing so in the only way which is open to him.

1629. And you think that the closing of the public-houses could not be done with safety to the working man?—If it could be done, it might be.

1630. But you think it would be a very great hardship upon the men who had laid out money upon public-houses, to make a trade and to make a fortune, and who are very few in numbers compared to the people out of doors, to pass this Bill, though you believe it would be a good Bill for a great number of people?—I say again, pass by the publicans, do not touch them, do not take them into consideration at all, but take the morality of the working classes into consideration. I say you strike a fatal blow at them; put them under the protection of men who are bound by their license, and by their character and position in society to prevent disorder.

1631. Do you think that public-houses are not a temptation to men to drink?—I think not. I could pass by a public-house for a year without going in.

1632. Mr. *Pollard-Urquhart*.] Are there not a great many working men who cannot always pass by a public-house without going in?—I can only speak for myself.

1633. Major *Gavin*.] Would it affect your trade very materially, if the public-houses were closed on Sunday?—Not if they were all closed.

1634. *Chairman*.] You stated that you were of opinion that all shops should be closed, as a matter of Sunday trading on Sunday; that is to say, shops for the sale of drink?—If you close one, close all.

1635. Would you extend that so far as to close shops for the sale, say, of milk and fruit on Sunday mornings, when it cannot be kept in summer because the houses where intoxicating drinks were sold, were closed on Sunday?—I would, because I know that drink would be sold there.

1636. If shops for the sale of intoxicating liquors were closed?—Yes.

1637. And do you think that intoxicating drinks are sold now in shops where fruit and milk, and such things are allowed to be sold on Sunday mornings because they cannot be kept?—I hear that, and I saw an instance of it myself in a barber's shop.

1638. What would you propose; that the shops where intoxicating drinks were sold, should be open, or that the milk shops should be shut?—I would shut the milk shop.

1639. You are an advocate for shutting up the milk-shops?—Yes; I would shut them all. I say, "Lead us not into temptation."

1640. Mr. *Pollard-Urquhart*.] You stated that there was a great deal of capital sunk in those public-houses by people who pay very large fines; are not those public-houses very much in the hands of a few monopolists?—No; I do not think they are. There are 1,300 licenses in the police district, and they are not very much in the hands of monopolists.

1641. Are there not many of them owned by brewers and distillers?—I cannot say how many of them are, but infinitely less than in London.

Mr. RICHARD CORR, called in; and Examined.

1642. *Chairman.*] WHAT office do you hold?
I am a Superintendent of the Dublin Metropolitan Police.

1643. How long have you been connected with
at force?—I joined the service on the 1st December 1837.

1644. In Dublin?—Yes.

1645. Therefore, you have been acquainted
with the city of Dublin for some time?—Yes;
10 years the 1st of last December.

1646. During that time, do you consider
drunkenness has decreased in the city of Dublin?
—For a few years past it has.

1647. Before that time, you would not say
that it had perceptibly decreased?—No.

1648. What is your experience with reference
to Sunday drunkenness; is it considerable?—
No; there is less drunkenness on Sundays than
on any other day in the week.

1649. And when would you say that the
largest number of arrests which are returned on
Monday occur?—On Saturday nights; from
about nine o'clock on Saturday night to one
o'clock on Sunday morning.

1650. Then, getting towards one or two o'clock
on Sunday morning is what makes the return of
Sunday arrests appear large?—Yes.

1651. Is not there a considerable number of
men who get drunk on Saturday night and
keep it up on Sunday?—Yes.

1652. And a good number of men who having
not drunk on the Sunday, keep it up on the
Monday?—That may be, but as long as you
have the same system of licensing in Ireland
as you have at present, you will have drunken-
ness.

1653. What is your opinion with reference
to closing or limiting the hours of keeping open
public-houses on Sunday?—I should say if you
closed the public-houses entirely on Sunday, my
opinion is from experience that you will open
other houses where the illicit sale of drink will
be carried on.

1654. Am I right in inferring that your
evidence altogether applies to the city of Dublin?
—It does.

1655. You would not extend that observation
to other districts of your own knowledge?—No.

1656. What do you think would be the effect
of diminishing the present number of hours in
which they are open on Sundays?—I think
the opening of public-houses on Sunday at three
and closing them at nine would have a good
effect, because there are many places of worship
in the city of Dublin where the service is not
over until just two, when the public-houses are
actually open.

1657. And they offer temptation to people
just as they are coming out of a place of worship?
—It may be so.

1658. Why do you say that the closing at nine
would be of advantage?—It might if a greater
evil would not arise.

1659. And do you think that a greater evil
would arise?—The low beershops and the spirit
grocers would take advantage, if the regular
public-houses were shut; you would have them
springing up to a great extent.

1660. Assuming that every house was closed
at nine, would not that be an advantage?—It
would.

0.55.

1661. Is it not the fact, that the greatest amount
of drunkenness occurs late in the evening, and
that if men were obliged to stop drinking at or
before nine o'clock, a great amount of drunken-
ness would be saved?—Yes; that is if you close
all.

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1662. I am going upon the supposition, that
the closing applies to all. Are you of opinion
that it would be of advantage if all places for the
sale of drinks were closed at an earlier hour on
Saturday night than at present?—I think it
would if they were all closed; but if you leave
open one class, it is not fair to the rest.

1663. What hour would you consider a rea-
sonable hour at which to close on Saturday night,
having regard to the reasonable wants of the
people, and to the general accommodation of the
public?—I should say half-past 10 or a quarter
to 11 at night.

1664. That is the present hour, is it not?—All
regular publicans can keep open till half-past 11
week nights, and 11 on Sunday nights.

1665. And you do not think it would be safe
to close on Saturday nights earlier than half-past
10?—I do not think it would, because I think
you would interfere with the general accommo-
dation of the public.

1666. Which class of people do you think
want the public-houses open between nine and
ten?—The labouring and the artizan class; they
purchase groceries in those different houses.

1667. At what hour?—I see them and their
wives marketing up to the very moment the shops
close.

1668. But do you not think they could do their
marketing before nine o'clock?—They could of
course.

1669. Would you tell the Committee what
you consider the evils of the present licensing
system at Dublin?—As regards spirit grocers
and beer dealers, wholesale and retail, the spirit
grocers can keep open on Christmay Day and
Good Friday, and every Sunday in the year. I
have one at present in my division, which keeps
open all night for the sale of drink, not to be
consumed on the premises. I have to keep a
constable there, at the door, to prevent parties
from congregating about the place, and to pre-
serve order in the locality. These beer dealers
are a great source of annoyance in any locality
in the City of Dublin that they spring up in;
there are some of them in lanes and in courtways,
and I am sure it was never contemplated any
license should be given to such places at all.

1670. They are not subject to any restriction
with reference to getting the license; they get
it as of right, by paying for it, do they not?—
No matter what a man's character may be, he
goes down to the custom house and gets the beer
license or the spirit license. In my opinion if you
had one uniform license, and the police were to
have a proper supervision as they have over the
regular retailers of the City of Dublin at present;
first to inquire into the general character of the
applicant; secondly, the suitability of his pre-
mises, and thirdly, the requirement of the house
in the locality, you would have very few ir-
regular spirit dealers, or beer dealers, or publi-
cans.

1671. To whom would you entrust the exer-
cise of the power of granting a license?—To the

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Recorder

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Recorder of the City of Dublin, and the Chairmen of the different Quarter Sessions.

1672. Then with regard to these licenses (I am speaking of the excise licenses as a class) is it the fact that there is no chance of their being deprived of their license; that they are merely subject to a penalty for an infraction of the law?—Yes; a conviction against a spirit grocer cancels his license.

1673. Major *Gavin*.] One conviction?—Yes; allowing parties to tittle on the premises; delaying the officer in the discharge of his duty, cancels his license, and cancels the retail beer license also.

1674. *Chairman*.] Is not that a very serious penalty?—It is as regards the spirit grocer.

1675. But not as regards the beer dealer?—No, because his license is only 1*l.* 1*s.*; he may get it again the next day; he may be fined by the magistrates the full penalty of 2*l.*, and the license may be forfeited, but the forfeiture of the license is a mere nominal matter; he pays only 1*l.* 1*s.* for the license.

1676. Do you know whether there are many persons in the city of Dublin who take out spirit licenses, not *bonâ fide* for selling drinks not to be consumed on the premises, but as a blind to enable them to sell it to be consumed on the premises?—The majority of spirit grocers in Dublin violate the spirit of their license.

1677. Would it not be difficult indeed to prevent a man having bought a glass of whisky in a bottle from throwing it down his throat when he had got as far as the door?—Yes, perfectly impossible.

1678. And yet the spirit grocer would be liable to a penalty if that were done?—Yes.

1679. Is not that a very absurd state of the law?—It is, no doubt.

1680. What is the rule of the police in prosecuting such a case as that; if they see a man swallowing liquor upon a spirit grocer's premises?—If the police officer comes into a spirit grocer's shop, and finds a man in the act of tipping spirits he lodges a complaint, and that complaint is laid before the Commissioner of Police, and he will order a summons to be taken out in the usual course before the divisional magistrates.

1681. And if the charge is proved the penalty follows?—If the charge is proved the penalty follows, and the forfeiture of the license follows.

1682. Then, in short, your recommendation is that all the licenses should be put on the same footing?—If you put all the licenses on the same footing, you would have good order and regularity established, but at present you can never have it.

1683. But even if it were all put upon the same footing it would be impossible to totally close the public-houses in the city of Dublin?—Yes, it would.

1684. The police would be unable to prevent the illicit sale of liquors?—The police would be unable to prevent it; there are many houses besides public-houses where liquor is sold, such as provision shopkeepers and barbers' shops, and we have had many convictions against brothel keepers, for liquors are sold by them. Young men and young women are in the habit of going out on Sundays, and if the public-houses were open, they may go there for refreshments where no impropriety could take place, but if those houses were closed against them they may repair

to low beer-shops, or other disreputable houses, where the result would be very much worse indeed.

1685. Mr. *O'Neill*.] You mentioned that the police can exercise very strict supervision over the regular retailers of spirits; can they not exercise almost the same supervision over the spirit grocers?—No, they cannot.

1686. What would be the difference?—The spirit-grocer may have parties in his house, they always have a door inside the shop; there are two divisions made to the shop; there is one door where they go in to get drink to be consumed on the premises; if there are parties inside that door, the party in attendance may have every thing cleared away before the officer comes in, although there may be several parties inside, so that he can evade the law; and unless the officer can prove some appearance of drink having been sold there, he cannot make any case against him.

1687. It is a practical rather than a legal difficulty?—Yes, it is.

1688. Then the difference between the regular retailer and the spirit grocer consists mainly in this, that the spirit grocer can renew his license?—No, not the spirit grocer; the spirit grocer's license is from 14*l.* to 15*l.*, but the beer license is only 1*l.* 1*s.*

1689. *Chairman*.] Is not there this difference between those cases, that while the police can oppose the vintner's license on the general ground of his place being badly conducted, the only ground for depriving the spirit grocer of his license is a specific conviction of having allowed a breach of the law upon his premises?—Exactly.

1690. Mr. *Pollard-Urquhart*.] Is it your opinion that the Fenian agents avail themselves to any extent of people being assembled together upon a Sunday afternoon in the public-houses to enlist men in the Fenian conspiracy?—There may be some instances of that nature in the City of Dublin; any houses that we have any suspicion of we keep under supervision; in fact, generally speaking, the publicans of the City of Dublin are a respectable class, and there is a respectable class of houses springing up in the trade in the City of Dublin.

1691. But the number of people assembling together in a public-house would give the Fenian agents great facilities of meeting them and getting them into their conspiracy?—No doubt; they would take that opportunity on week days as well as on Sundays.

1692. But would not they have greater opportunities on the Sunday, as the people would not be assembled on week days as much as they would be after Divine worship on Sundays?—That would be so, no doubt.

1693. It was suggested by a former witness that it was desirable to give the publicans more authority in their houses than at present, to prevent drunkenness, namely, that they should refuse to give any more liquor to any persons whom they saw to be a little elevated?—If it could be carried out it would have a very good effect. A party may go into a public-house in a state of intoxication, and the publican may put him out, but if he does not put him out, and the police come up, he will be summoned for harbouring him, and the onus will be put upon him to prove before the magistrates that he had no liquor served him there.

1694. But

1694. But I suppose a publican could hardly refuse now to give more liquor to a party coming in a state of having had quite enough?—I know that it is a fine line to draw; it is a case in which I would not wish to offer an opinion.

1695. Are you of opinion that it will be very hard to give the publicans that sort of authority, and then to make them responsible for giving a man the last glass which made him intoxicated?—It would.

1696. I suppose that a publican now would wish to keep order in his house, and would put such men out when intoxicated?—I think so; because he could be indicted now for allowing any disorder in his house; three convictions in six months deprive a man of his license; if the Commissioners of Police direct proceedings to be taken against such a party, he is refused his license at the renewal.

1697. But what I wanted to ask was this: at present a publican would never refuse to sell intoxicating liquors to any person, provided that he was not intoxicated at that time?—I should say not.

1698. He would never refuse to sell it on the ground that he had a good deal, and that a little more might make him intoxicated?—I cannot give an opinion upon that.

1699. We have been told what is the practice in France; do you think it would be impossible to draw such a line as that in England?—I think it would.

1700. Mr. Pim.] Do you think it would be useful to go any further with legislation in that direction?—I do not think so.

1701. You heard the evidence of Mr. Porter, did you not?—Yes, I did; Mr. Porter has had great experience.

1702. Do you agree with him?—As far as that is concerned, I could not reconcile my mind to it; I think it would be drawing too fine a line for a publican to conduct his house in that way.

1703. Mr. Murphy.] Up to what hour are the meat markets open in Dublin upon the Saturday night?—Twelve o'clock, and some of them after 12.

1704. But are they open later on Saturdays than you are on other nights in the week?—They are.

1705. Are you aware that a considerable number of the tradesmen in particular trades are not paid their wages until very late on Saturday night?—I do not know that.

1706. Why are the markets kept open so much later on Saturday nights than on other nights in the week?—The markets are more thronged on Saturday nights than on other nights in the week.

1707. How do you account for that?—I account for that by saying that the wives and children of artizans and the labouring classes come there to purchase meat for the Sunday.

1708. But could not they do that at an earlier

hour than 11 o'clock?—Perhaps they have not the cash to purchase with.

1709. Then your inference is, that Saturday being a great wages-paying day, and a very large number of the tradespeople not being paid their wages at a sufficiently early time to enable them to purchase their provisions earlier, are obliged to wait till they do get the means of purchasing what they require?—Exactly.

1710. Are you aware that the object of this Bill is to permit spirits to be sold at certain hours named in the Bill, but not to be drunk on the premises?—Yes.

1711. Are you of opinion that such a measure could be practically carried into effect?—Not at all.

1712. Are you of opinion, therefore, that unless the public-houses are totally closed, the fact of permitting drink to be sold would not prevent drink being consumed on the premises?—My opinion is, that if you have public-houses open on Sundays for the purpose of sale not to be consumed on the premises, you would have localities in which those houses were open in a state of disorder, because you would have a man going in for a glass of grog, or pot of porter, and bringing it out, and drinking it in the streets, and in many instances you would have them charged for tippling in the streets; the result would be that they would be taken into custody if such a state of affairs were to take place.

1713. In fact, the very passing of this Bill as it at present stands would lead to that which you say has already occurred in other instances?—I would not go so far as that; but if public-houses were open, the people coming from the country on Sunday evening would go into those houses, and if they could not consume the liquor on the premises, they would take it outside the door, and consume it there.

1714. Are you of opinion that if public-houses were to be open on the Sunday it would be better, or otherwise, that the time should be continuous; that is to say, that whatever hour they are to be open at on the Sunday, and whatever hour they are to be closed on the Sunday, the time should be continuous, and not be intermittent?—I think it would be better that it should run on.

1715. I think you stated, in the instance of spirit grocers, that, although they are not allowed to sell drink for consumption on the premises, they do manage to sell it for consumption on the premises?—Some of the spirit grocers are habitual violators of their license, and the beer dealers also.

1716. Are you of opinion that the same effect would occur with regard to public-houses if a law was passed not permitting them to consume on the premises, but to sell their liquors as is done now in the case of spirit grocers?—I am of opinion that if public-houses were allowed to open for sale, not to be consumed on the premises, a state of affairs would arise which would not be at all creditable to the city.

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Thursday, 30th April 1868.

MEMBERS PRESENT:

Mr. Dawson.
Major Gavin.
Mr. Leader.
The Earl of Mayo.
Mr. Monsell.
Sir Graham Montgomery.

Mr. Murphy.
Mr. O'Neill.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.

MYLES WILLIAM O'REILLY, Esq., IN THE CHAIR.

MOORE MILLER, Esq., called in; and Examined.

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1717. *Chairman.*] YOU are Resident Magistrate at Armagh, I think?—I am.

1718. How long have you been resident magistrate at Armagh?—Since the year 1846.

1719. How long have you been stationed at Armagh?—In the county for the whole of that time.

1720. Have you considered the question of either entirely closing the public-houses on Sunday or limiting the hours for the sale of intoxicating drinks?—Yes, I have considered the subject for some years past.

1721. What is your opinion with regard to it?—My opinion with regard to it is that a total closing of the houses on Sunday would be more beneficial than a partial closing.

1722. Would you consider that it would be desirable totally to close all houses for the sale of intoxicating drinks on Sundays?—Yes, certainly.

1723. In expressing that opinion, would you include all houses whatever their nature; that is to say, not only public-houses, but refreshment houses and eating houses, and all places where intoxicating drinks could be sold?—Yes, I would wish to explain that by saying that an exception might be made with respect to the persons dwelling in that house or residing in that house as in an hotel, but the other houses being open would lead to an evasion of the law.

1724. That is to say, that the leaving of the refreshment houses open would lead to an evasion of the law?—Quite so, and I believe it would be unsatisfactory to the trade itself; I say that from conversations I have had with persons carrying on the trade.

1725. Then, on the other hand, do you consider that the total closing would be satisfactory to the trade?—I think it would; I have had conversations with many persons carrying on the trade, and they have said to me that provided the law were made, not partially, but carried out fully, it would give satisfaction.

1726. Are you of opinion that it would give rise to dissatisfaction, among the labouring classes, on the ground of its being supposed to be class legislation?—No.

1727. You do not think that they would contrast the position of gentlemen who might frequent their club with their own position?—I do

not think they would; I have considered the subject; it is an argument that is used very often in newspapers; it is an *ad captandum* argument, but I do not think it would have any weight with the labouring classes.

1728. From your experience of the labouring classes in the north of Ireland, you do not think that they would take that view of the matter?—No.

1729. Do you think that it would give rise to any substantial inconvenience by preventing people requiring their meals from getting them on the Sunday?—No. I would make an exception certainly in the case of travellers, limiting it to their travelling a certain distance, say 10 or 12 miles, or something like that.

1730. How would you propose to carry out that exception; how would you propose that it should be ascertained whether a man had travelled, say 10 miles or not?—I do not think there would be much difficulty in that, even as the law stands at present with reference to public-houses; there are certain hours in which there is an exception with regard to travellers on Sunday, and that is always a question for the court before whom a person prosecuted comes.

1731. You do not think there would be any considerable evasion of the law under the pretext of supplying travellers?—No, I think that in the north of Ireland there are not so many travellers upon the Sunday as there are in the south and west; for although I have been stationed all the time I have mentioned in the north of Ireland, I am not unacquainted with the south. I have been often sent there upon special duties, besides that, I know the south of Ireland, and I think that there are more travellers in the west and the south going to large fairs than there are in the north; that is the class of persons who come within the scope of the Act of Parliament.

1732. But then, as regards persons travelling that great distance to fairs, it could be easily ascertained whether they were travellers by their mode of conveyance?—I do not think that class of travelling is common in other places.

1733. Do you know the town of Belfast at all?—Yes, I do.

1734. Is it not the practice there, to a considerable extent, for excursionists to go out to neighbouring parts on the Sunday?—Yes, it is.

1735. Would

1735. Would those excursionists, in your idea, be under the class of travellers?—No, I should not call those *bonâ fide* travellers. The Committee might think it proper to consider them in another clause, separately and distinctly; but I could not, if I were asked the question, consider them *bonâ fide* travellers.

1736. Do you consider that that class of persons would be seriously inconvenienced by not being able to obtain intoxicating drinks on Sunday?—No; the law being once ascertained, the necessary provision would be made the night before.

1737. In fact, excursionists would take a basket with them, containing what they would require?—Yes.

1738. There are a good many manufacturing towns in your district of Armagh, are there not?—In my district there are several large towns. Lurgan and Portadown, besides the town of Armagh in which I am stationed, and Market Hill, so that I have a pretty large experience, one way or another; but there is nothing, of course, upon the same scale as at Belfast; and when you ask me if I know Belfast, I reply that I do know it pretty well, and also the north generally; but I am not so well acquainted with that class of excursionists and the habits of the people as the persons continually resident there are.

1739. But, practically, the district of the North that you are acquainted with, is not what you would call a purely agricultural district?—Certainly not.

1740. Is there any large class of workmen in those towns of Armagh, Lurgan, and so on, who live in lodgings where they cannot get their meals, and who would want to go to the refreshment houses to get them?—No, there may be isolated cases; but that is not the rule.

1741. Is there a large class of young men, shopmen, clerks, and others, who habitually get their meals at refreshment houses?—No, it is not their habit.

1741*. In the present Bill it is proposed that the houses for the sale of intoxicating drinks should be open at two separate intervals, from two to four and from eight to nine; do you consider that in case it were deemed necessary that those houses should be open at all, it would be better to have them open only for one continuous period?—That would depend very much upon circumstances; it would be an easier thing to administer the law; but that is the only way in which I could answer the question.

1742. Apparently we may infer that the second opening of the houses, namely, from eight to nine, was put in for the same reason as it was put into the English Bill, that is to say, to enable people to get their supper beer; but from your experience, do you think those people, as a rule, do take beer with their supper?—With reference to that class of people in Ireland, their habits are very different from those of that class of people in England; beer is very little consumed there, and scarcely ever for supper.

1743. Do the people in the north of Ireland habitually consume drinks, either beer or spirits, with their meals, or is not it very much more their practice to go and consume them together for sociality's sake?—Very much more certainly. Liquors, either ardent spirits or beer, are very seldom consumed, except as you say for social purposes. The Irish are a very social people, and they go into a public-house to spend half-an-

hour or an hour in company with their friends, and that leads to drinking.

1744. Have you considered at all the question of the hour on Saturday evening to which public-houses are allowed to be kept open?—I have.

1745. At present, it is up to 11 o'clock, is it not?—It is.

1746. Do you consider that that leads to evil consequences, and that it would be desirable to shorten the hours on Saturday evening?—An enormous amount of intoxication takes place on Saturday, much more than upon Sunday: in fact, I would say, from all the information I can gather, and from my own observation, intoxication upon Sunday is not a crying evil in Ireland, and it is not on the increase; therefore, perhaps, the Bill is not so much called for in that respect as regards the amount of Sunday drinking; it is good of itself, but not for that reason. There is more drunkenness on Saturday night, a great deal, than upon Sunday; that arises, of course, from wages being received about that hour on Saturday.

1747. Of course it would be impossible and unjust to close places for the sale of intoxicating drinks on Saturday, but it might be considered possible to close them at an earlier hour than at present; what is your opinion upon that point?—I think an immense good would arise from that.

1748. Considering that the working classes are entitled to every fair opportunity of supplying their reasonable wants, and that nobody wishes to inconvenience them unfairly, what hour would you say would be a fair hour to close places for the sale of drinks on Saturday evening?—As early as seven.

1749. Recollecting that that closing would include spirit grocers, and every other house where drinks were sold, do you think that it would be desirable to close as early as seven?—I think so; I think if you extended the hour much beyond that the beneficial effect would be lessened.

1750. About what time are wages generally paid in the north?—In a great number of the houses business is suspended early; sometimes at two o'clock on Saturday, in large factories.

1751. And what time are the wages generally paid?—I think about that time; I know that it is the opinion of the employers of labour that an enormous amount of good would be effected by so closing the public-houses.

1752. Mr. O'Neill.] Is it your opinion that the partial closing upon Sunday would be hard upon the trade, but not the total closing, or do you only give that as a general opinion from your own observation?—I may have used an ill-considered word, in saying partially; but I meant to indicate a closing that was carried out impartially.

1753. Mr. Dawson.] Is it the case in your district, that after the refusal by the magistrates of applications for licenses, those same parties obtain a grocer's license, and then that on another application the magistrates generally grant the license after having refused it in the first place. My reason for asking the question is, that I have heard in the district about Lurgan, which I know very well, that that is a very common practice?—No, I do not think so. If you will allow me, I think I can just hit upon a case in point. I remember, at the Lurgan quarter sessions, a man having applied for a license, and he was refused. Whether he had a spirit grocer's license at the time or not I will not undertake to say, but he subsequently

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subsequently had, and he applied, I think, four times at least, perhaps oftener, and was refused each time.

1754. The population of the towns in your district is growing rapidly, is it not?—It is rising every day, Lurgan and Potadown especially. If you will allow me to say, I think one of the great evils with regard to public-houses in Ireland is the facility with which they get a license. Almost every man thinks he is entitled to a license, and he says, "I may just as well make a trade of it as my neighbour; my next-door neighbour sells whisky, and why should not I?" and he embarks in the thing without any capital, without any means of having a good house and giving that accommodation to the public which he is expected to give from his license.

1755. Do you know at all the proportion of public-houses in Lurgan to the number of the population?—No, I have not furnished myself with the statistics, but I might say as a general rule that the proportion of public-houses in almost all the towns is rather in excess of the want; and this I can say decidedly, that there is a tendency on the part of the magistrates to keep that excess from overflowing, as it were; to keep it down.

1756. I understand your opinion is in favour of total closing on Sunday, and of a limit on Saturday night?—That is the sum total of my evidence.

1757. Mr. Murphy.] You are clearly of opinion that every house which has a license to sell liquors should be closed on Sunday in order to do any real good?—I think so.

1758. And that otherwise a partial opening even of licensed public-houses, or a permission for eating-houses to consume liquor on the premises on Sunday, would, in fact, leave things exactly as they are at present?—I think so.

1759. The effect of this Bill is simply to allow an eating-house keeper to sell spirits as much as he likes until he closes at night, if the party comes in and buys a cake, say, at the same time?—Yes.

1760. If that was to be the case, do you think that the evils which in your opinion exist would not be remedied?—I think it would leave the door open.

1761. You would say that every place which sold liquors should be closed altogether?—Yes, I am very firmly of that opinion; I may be altogether wrong, but that is my opinion.

1762. Have your duties made you acquainted more with the rural districts than with the urban populations?—As I just mentioned, in my district there are several very large towns where factories are carried on, and therefore my experience is rather varied; but I am acquainted with the rural and the manufacturing populations both.

1763. Are you of opinion that if total closing took place on Sunday, it would lead to an illicit traffic?—No, not if properly carried out; it would be impossible by any legislation to prevent people altogether from doing that which was prohibited, but I do not think it would lead to illicit traffic.

1764. Are you or are you not of opinion, that there would be a greater tendency to illicit traffic if total closing took place than under the present regulations?—No, I think there would not. I think after the law was once understood and carried out, the illicit traffic would cease.

1765. Are you prepared with any return of committals for drunkenness from your district on Saturday and Sunday?—No, I am not, but I

can speak pretty authoritatively upon the fact that intoxication is not so very great on Sunday, and that the great part takes place on Saturday. I think statistics, if you will permit me to say so, very often lead people into error.

1766. Have you of your own observation observed what class of people it is that get intoxicated on the Saturday night?—It is the artisan class, I think, much more than the labourers; not exclusively so, but more so.

1767. Have you ever made any observations as to whether that intoxication is habitual to them as a class, or is merely erratic, or temporary, or occasional?—I think it is rather a habit, unfortunately.

1768. And your opinion is, that they have acquired the habit of getting intoxicated on the Saturday?—I think so, and that class of persons, generally, have a character as it were, from the police; those who look after those people, and those who administer justice, will point out such persons as *mauvais sujet*.

1769. That is the class of people who generally get intoxicated during the late hours that the public-houses are open on Saturday night?—I think so.

1770. Supposing you restricted the hour to seven o'clock on Saturday night, as you have mentioned, do you think, or do you not think, that as regards that class of persons whom you have referred to as being habitually intoxicated on Saturday night, the mere closing on Saturday evening would prevent those parties from getting drunk if they chose to get it elsewhere?—I think it would have the effect of reforming them; besides, that is not the class entirely to which I allude, because it is my opinion that they mislead others who would not otherwise drink to excess.

1771. Is it your opinion that if there were people inclined to drink in a town where the licensed public-houses were in the habit of shutting early, they would go and get drink if they knew where to get it?—That tendency might be so great that they would certainly look for it, but finding the opportunity gone, I do not see why I should despair of its having a good effect.

1772. Are you prepared to say from any experience you have had in the matter, that such a state of things would not tend to illicit traffic, or to the establishment of shebeen houses, or to places where parties would find drink for them, if the hours of the public-houses were shortened?—I think that there might be attempts upon the part, as you say, of illicit traders; but on the Saturday more than upon the Sunday.

1773. Do you think that it is most likely that it would lead to attempts, not that there might be, but that there would be such attempts?—I dare say there would be attempts, but I think the law would be strong enough to put them down; I think that the balance between evil and good will be that the good would preponderate.

1774. But you cannot of course exactly give a positive opinion whether there would be any absolute effect with reference to the balance of good and evil; but can you say, from any opinion that you are capable of forming, which would preponderate?—I should say that the good would preponderate.

1775. But at most it would be an experiment?—I think it would be an experiment.

1776. You were asked a question by the honourable Chairman about excursionists going from

from towns within your district; is it the fact that tradespeople and mechanics on the Sunday go out into the rural portions of the district, and take their wives and children with them for a stroll to the outskirts of the towns?—Yes, very much so.

1777. Are you aware what the habits of the people on those days are; do they take refreshments with them, or do they, if they feel tired after their walk, go into a respectable vintner's place and get a glass of spirits or beer and bread and cheese?—I cannot speak very decidedly about their habits.

1778. Do you not think it likely that they require some refreshment after being out for four or five hours upon the Sunday?—Yes; and it was for that reason that, in answer to the honourable Chairman's question, I said that if the closing on the Sunday was total, provision would be made by those people; people would think beforehand, and would lay in their little stock of provisions before they went out.

1779. In the case of a man going out with his wife or three or four companions to take a walk, do you think that a man would carry a basket with him all the while he was walking, with something made up from the previous night, in order that he might get some refreshment (for that is the only way in which it could be done), or how would you provide for them?—I do not see how they could be provided for.

1780. In fact, they would have to do without it altogether?—It would amount to that.

1781. Do you think that that limitation of their ordinary legitimate amusement and refreshment would be looked upon as a kind of hardship?—I do not.

1782. Do you mean to say that if they were to close the public-houses at the hour you mention, a tradesman or mechanic who wished to go out and take a walk for five or six miles to some country place and come back, having spent some five or six hours in doing that, would not feel it a hardship if the law prohibited him from getting refreshment upon the Sunday evening?—I do not think so; I think that it is the principle of all legislation, that the few have to give way to the good of the many.

1783. That is very true; but is it your opinion that in this case the inconvenience would be confined to the few, and that the mass of the population would be benefitted?—I do think so; I would say that one out of ten excursionists would feel aggrieved.

1784. What do you call excursionists?—People who walk about.

1785. Are not people much more in the habit of walking, so far as numbers are concerned, than of going out of town? A tradesman cannot always afford to take a car, and the labourers cannot afford to do that; they would rather take their own legs, would they not?—That might be so.

1786. One of the reasons which you gave, as I understood you, for wishing to have public-houses closed at seven on Saturday was, that upon that day, in your district, business was generally over at an early hour, and that the wages were paid at an early hour. Now, supposing a state of things exactly the reverse of that was in existence in large cities, would you think that under those circumstances seven would be the proper hour to close the public-houses on Saturday evenings, supposing that wages were not paid until nine or

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ten?—Would you permit me, with very great respect, to ask if I must assume that.

1787. You must assume it. I am putting that case to you?—Then I reply, no. I gave as a reason before for saying seven, that I would allow time for the people to transact their business, and therefore, of course, if you assume that they are not paid until nine, I should say that some little grace should be allowed.

1788. Supposing, in large cities also, that the public markets for provisions were not closed until 10 or 11 at night, and 12 on Saturday nights, would that also be a further reason, in your opinion, for not limiting the hour of closing to seven, taking into consideration the convenience of the tradespeople and the labouring classes, who would not be paid their wages until nine or ten?—I am afraid it would not be for their good to keep the houses open later. I think, if I must assume that the wages are not paid till nine or ten o'clock, it would only make a difference of closing them by one hour; by law they are closed at 11. I presume you are not talking of London, are you?

1789. My question has reference to Cork and Dublin?—And then the difference would be so marked between seven and eleven that there is a reason for taking a stand. If you could not effect any good by merely abridging it by an hour, then I would say *le jeu n'en vaut pas la chandelle*.

1790. You said, and I agree with you, the one reason in your opinion for an abuse, as well as I understood you, on the part of keepers of public-houses, was the facility for getting licenses?—Yes, I think so.

1791. And your opinion is that, if greater supervision was exercised in the granting of licenses, confining them to persons of known respectability in their various grades, a better effect would be produced?—The benefit would be enormous.

1792. Major Gavin.] I think you stated that you were of opinion that all public-houses, or houses of refreshment, should be closed on the Sunday?—Yes.

1793. Is there a club in Armagh?—No, there is not.

1794. Is there no place where the county gentlemen meet when they go into the town?—No.

1795. But suppose you wanted a bottle of sherry on a Sunday in Armagh, could not you get it?—At an hotel; I suppose so.

1796. And would you shut up hotels as well as public-houses?—Oh no.

1797. Would you not shut them up, except for travellers?—Yes, I would, except for *bona fide* travellers; but then that would not be exactly shutting them up.

1798. But you know if hotels were open upon a Sunday you could go in, though you were not a traveller, and order what you chose?—That would be against the law.

1799. This Bill does not propose at all to shut up public-houses altogether on the Sunday, but proposes shutting them up partially, allowing them to be open from two to four and from eight to nine for the sale of liquors not to be consumed on the premises?—That I understand.

1800. Do you know what the population of Armagh is?—I think about 9,000. I do not profess to be accurate; it was 10,000, but it is much lower.

1801. And I think, in answer to Mr. Murphy, you

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you said that if you prevented the public-houses being opened, there would be a lot of shebeen-houses opened; do you know what a shebeen-house is; perhaps you have not any in the north?—I understand the term perfectly; a shebeen-house, as I understand, is a place where whisky is sold without a licence, and it is generally a low term, it implies a low house of that class.

1802. But they do exist in Armagh and its neighbourhood occasionally?—Yes.

1803. Is it not the case that in the neighbourhood of Armagh there are ball courts, courts where they play ball?—No, I do not think that there are any.

1804. Is it prohibited on the Sunday?—No, I do not think so; but I do not think there are such things as ball courts, it is not a very common game.

1805. Is there such a thing as a dance-house open on Sunday where young men and women go to dance in the rural districts?—I do not say that there are not such things, but they are not common.

1806. *Chairman.*] It has been stated in evidence that there are one or two classes of employers in the City of Dublin who do not pay their wages on Saturday evening until, perhaps, 10 o'clock; would you, or would you not con-

sider the fact of exceptional classes only receiving their wages at 10 o'clock a sufficient reason for keeping open the shops, whilst the great majority of the wages-receiving class receive their wages earlier?—I should think that that should not prevent legislation for the community at large.

1807. *Mr. Dawson.*] In the district of the railways in the north of Ireland, in your district, is the sale of whisky permitted at all the refreshment rooms at the different stations?—Certainly.

1808. Would you include, in your closing, a prohibitory power in connection with the excursionist traffic by railway, by closing also the refreshment rooms on railways?—No, I would not include them, because I would consider that they came under the exception with respect to travellers; but then that liberty should be confined within bounds, and then the keeper of the refreshment room would be considered liable if he gave refreshments to parties, not *bonâ fide* travellers.

1809. When first those railways in the north of Ireland were opened, they tried to prevent the sale of whisky at the stations, but I believe that that endeavour has been relaxed since; are you aware of that?—They certainly have an opportunity of selling spirits of all sorts and kinds.

Mr. GARRETT BARRY, called in; and Examined.

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1810. *Mr. Murphy.*] I BELIEVE you are President of the Cork Vintners' Society?—I am.

1811. What are the objects of your society?—At the time we commenced to form the society the trade was not in what we may call a pleasing or respectable condition at Cork; I was in the trade then, and I found that there was room for improvement, and we associated together to prevent abuses, and make the trade, if possible, more respectable than it was at the time.

1812. How long ago was that?—I should think about 11 years ago.

1813. Did you succeed in effecting an improvement in the trade?—Quite so.

1814. What were the particular objects that you directed your attention to for that purpose?—The main object was to remedy the looseness with which licenses were granted to parties who were not fit to hold them.

1815. And how did you propose to correct that?—By employing lawyers on the days for granting licenses to show that such-and-such parties were not fit to have and to hold licenses.

1816. Have you heard the evidence which Mr. Miller gave?—Partly.

1817. Then you would concur with him that the facility which did exist for parties not properly qualified getting licenses led to abuses?—Certainly.

1818. And your object was to remedy that as far as you could?—Certainly.

1819. Are there any shebeen or illicit houses in Cork just now?—I do not know; they must be very much *sub rosa* if there are; we cannot find them at all; but some time ago there were plenty of them.

1820. Selling in the streets?—Selling in the streets.

1821. *Chairman.*] Did you initiate prosecutions?—Yes, and put the keepers of them to prison.

1822. *Mr. Murphy.*] The effect of your pro-

ceedings was to put an end to the shebeen-houses?—Yes.

1823. And to protect the honest trader?—Yes; we looked upon it that the honest man was receiving the opprobrious epithets which were applied to the publican in Ireland on account of those people.

1824. At that time what was the value of a license as compared with the present value?—At that time a license, unless in a very good position, and with a good investment attached to it, was worth nothing.

1825. That is to say, it was worth no premium?—Exactly, it was worth no premium.

1826. Are you prepared to say, from your own knowledge, or from any information you have received, what the average or particular value of licenses now is in comparison now in Cork, as compared with their value at the period you mention?—I think a person holding a very obscure place in a back lane could now get 50 *l.*

1827. Even in an obscure part?—That is the market value of it.

1828. Of course there must be a larger corresponding value in a better situation and a better class of house?—The vendor of a license wishing to sell in a good place could get more.

1829. How much would he be likely to get?—I would not say how much; it depends upon what the place would be worth.

1830. Would he get 100 *l.* for it?—I have known 200 *l.*; they ranged from 50 *l.* to 200 *l.*

1831. The consequence then of the improved pecuniary value of the license is the cessation, owing to the exertions of your society, of illicit houses for selling spirits?—Decidedly.

1832. That is the direct consequence of it?—Yes.

1833. Have you read this Bill?—I have.

1834. And you know, of course, the objects of it?—I do.

1835. Have

1835. Have you formed any opinion with reference to what the effect of this Bill, if carried into a law, would be upon the holding of licenses by respectable vintners in the city of Cork, and in the vicinity of Cork; the rural districts and liberties around?—My opinion is founded upon long experience, and I would venture to say that if that Bill be carried a license worth 50 l. to-day would not in a month be worth 10 l.; that is my opinion.

1836. Upon what reasons have you founded that opinion?—My reason is that in the suburban portions of large cities the poorer classes of traders depend mainly upon Sunday trading.

1837. You refer to the poorer class of licensed vintners?—Yes; and if this Bill should become law, and they could not trade as usual, they would rather turn to something else, and consequently they would throw their licenses into the market, and thereby reduce the *bonâ fide* licenses in value: the licenses would come too much upon the market; they would leave the trade, because it would not pay them to remain in it unless you gave them the usual course of action on Sunday.

1838. Have you formed any opinion with reference to the amount of business done by public-houses in the vicinity of Cork on Sundays, as compared with weekdays?—The rural and suburban districts, I should say, do most of what they do in the business on Sundays.

1839. That is to say, they do nearly as much on Sunday as they do in the whole six days of the week?—I am sure of that.

1840. In fact, their principal trade is derived from their Sunday selling?—Yes, certainly.

1841. Have you the means of being enabled to inform the Committee to what class of persons they sell their beer, or whiskey, or whatever it is that they do sell?—I would say that that class of people who hold houses in the suburbs have plain establishments; and, from my knowledge, I think that their customers are the working people.

1842. It was given in evidence here, by Mr. Hamilton, I think, the stipendiary magistrate of Cork, that, in his opinion, there were as many as 60,000 people, on the average, throughout the year, tradesmen, and people of the working classes and others, who went out from Cork, on Sundays, to the neighbouring villages, and down the river; is that the class of people to whom you allude?—Certainly.

1843. What is your opinion of the Bill, generally speaking, supposing it should become law; would it have the effect of preventing excess in drinking?—None, whatever, in my judgment.

1844. Why do you say that?—Because, I believe, and have known from experience, that the more penal you make the law to regulate the sale of beer and spirits the more likely it is to be violated, and not availed of; this Bill is penal.

1845. You are aware of that from your own observations and your own experience?—From my own experience and from my own observation upon the trade, that traders look upon laws, with regard to the sale of beer and spirits in Ireland, as penal laws, and anything to make them more penal will certainly excite a desire to evade them.

1846. Do you think, or are you prepared to say, as a positive opinion of yours, that the partial closing proposed by this Bill whereby spirits are

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not allowed to be consumed on the premises where they were bought, would lead to a violation of the law by illicit houses, or by substituting a taproom in a neighbouring house for the taproom in the present public-house?—Nothing could promote it better.

1847. Are you aware that, in the city of Cork, there are great facilities for doing that?—Undoubtedly.

1848. In fact your opinion is that if this Bill, as it is now printed, should become law, it will become inoperative?—Yes.

1849. While at the same time it would lead to illicit traffic, and materially injure the capital of the present traders?—Yes, I explained that in the petition to Parliament last Session fully.

1850. Are you of opinion that, if a law were passed, totally closing every house where drink was sold on a Sunday, it would have a good or bad effect?—A bad effect.

1851. In what way would it lead to secret drinking?—I conceive that the operative and working classes, having no day for pleasure and recreation but the Sunday, cannot enjoy that day without some refreshment, and that refreshment must partake of the nature of liquor in some form or other. Then, besides that, if they could not get it at the public-houses, they would find sufficient accommodation by jarvey women and shebeen houses, and matters of that kind, and what is worse, the article they would get would be a drug.

1852. That is to say, it would be adulterated?—It would be adulterated.

1853. Have you any experience from your own knowledge of any attempt at surreptitious trade at any time in Cork by persons selling in the street adulterated spirits?—Yes, and have convicted on a couple of occasions, or more, probably. I do not remember now how many parties selling liquors and keeping shebeen houses; what we mean by that is, unlicensed houses selling at all hours.

1854. Have you had any knowledge of women, for instance, or persons at the corners of streets having on their persons adulterated spirits, and selling them?—I have not seen them, but I have heard of it frequently.

1855. How was it that that custom sprang up?—It arose from two causes. In Cork, until our society began to work, some houses would be open after the hours; but after we compelled them to look sharp, these people availed themselves of the opportunity, or thought they could avail themselves of it, to carry spirits about, and did so frequently; in fact, cases of that kind have come before the magistrates where they were convicted, I may say on several occasions.

1856. What you mean to convey to the Committee is this: that when your society began their operations there were irregular or shebeen houses in Cork?—Yes, undoubtedly.

1857. That your action put them down, but that parties who had been in the habit of selling illegally resorted, in order to get back their trade, if I may call it so, to the operation of women going about with jars in which there was adulterated spirits, and in that way doing what they had been doing in the illicit houses?—Unquestionably.

1858. Are you of opinion that, if the hour of closing public-houses on Sunday evening or Saturday evening, were restricted to such a time as seven or eight, or even nine o'clock, a habit something

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thing similar to that would or would not spring up?—Certainly; it would be all one public nuisance altogether; we could have no order, as far as I can see; you could have no morality, and you could have no sobriety, because everything would go the wrong way.

1859. Would you think then that it would give a handle to those parties to resort to their old practice?—It would revive it immediately; that hour would not do.

1860. Have you formed an opinion what hour should be adopted for closing on Sunday evening?—In Ireland the people are paid very late.

1861. My question had reference to Sunday evening, not Saturday. The Bill proposes to limit the hours of opening from two to four, and to close then until eight, and to open them until nine; supposing the hours were to be continuous, that is to say, that from the time of opening on Sunday, the public-house should keep open until the law ordered it to close, what hour do you think would be the best to close at on Sunday evening, assuming it were necessary to restrict the present hour?—I should think nine o'clock.

1862. Reverting to the old law?—Yes, reverting to the old law.

1863. Is it your opinion that it would be better that whatever the hours are, that public-houses should be open on Sunday, they should be continuous rather than intermittent?—It would be better that they should be continuous, because it would be very difficult to supervise them by any inspectors at those intervals; they would take more advantage of the intermittent than of the continuous permission.

1864. Several questions have been asked about Saturday evening; have you directed your attention to the question of the hour at which public-houses should be closed on Saturday evening in reference to this matter?—I have.

1865. Are you of opinion that the present hour could be abridged; I think 11 is the present hour of closing?—Eleven.

1866. Do you think that any advantage will arise to the public by abridging the hour on Saturday night?—I should say not, and for several reasons.

1867. Would you be kind enough to state those reasons?—In the first place, the people who avail themselves of that late hour are very humble working men, porters and servants in establishments, and they are paid generally very late. They contemplate, of course, before going home, that they should have a drink, and some little thing or other. When they get their wages, they go into a place where they can count it and arrange their purchases, and the wife will meet and settle with the husband what she will buy and carry home; and if you close that place you give them no facility of doing anything, or getting any little refreshment, or being able to calculate how they will lay out their little money.

1868. You say the wife would settle with her husband what they would buy and carry home; do you mean by that what amount of marketing she should buy?—Yes. The second thing in connection with this part of the question would be, that on Saturday evenings undoubtedly the illicit establishments about the town, of which you spoke, would spring up, and those parties knowing that the working man had a little money would avail themselves of the temptation connected with it, of getting him a little drink round the corner.

1869. Have you considered whether the hour of closing on Saturday night might be restricted without any inconvenience to the working classes, and probably to their benefit?—I would feel inclined to believe that the respectable men in the trade would have no objection, provided all the other evils could be guarded against, to closing at, we will say, 10, yet it would be a loss to them where such circumstances as those to which I have alluded occur, and they mostly do occur in very large towns.

1870. In fact, your opinion is simply this, that if any limitation of the Saturday evening hours were entered into by any proposed Bill, so far as the restriction was concerned, a class of she-beens, corner houses, if I may call it so, would spring up to substitute that which at present exists?—That is my opinion, undoubtedly.

1871. Have you made any inquiry or directed your attention to the fact as to whether drunkenness has been diminishing or increasing within the last few years in the city of Cork?—Drunkenness has certainly declined in Cork, whether it arises from the want of employment or from the high price of spirits I do not know, but certainly it has declined.

1872. Within what period?—I might say four or five years.

1873. Do you make that remark from personal observation or from statistical information?—I make it from my connection with and from my knowledge of the trade.

1874. Mr. Dawson.] The statement of the Chancellor of the Exchequer the other night in his budget speech, was that there had been a much greater consumption of spirits in the last year, representing a sum of 150,000*l.* more than during the previous year; how do you account for that?—That may be the case, but not among the working classes.

1875. Mr. Murphy.] Are these the rules of the society of which you are president (*handing a book to the Witness*)?—Yes, they are; I have copies of them.

1876. I will just read the 17th rule for you, and will you tell me if this is correct: "That the Committee shall elect a secretary, who shall be paid as it shall think fit. The duty of the secretary shall be to keep the accounts of the society in a clear, satisfactory manner; that he shall, when directed by the proper authority so to do, summon the several members at least three days before the time of meeting, under a fine of 6*d.* for every neglect. He shall collect subscriptions and entrance money and arrears due by the members, and hand same to the treasurer, including fines, from whom he shall receive an acknowledgment, which he shall enter in the proper book or books of the society. He shall keep an alphabetical list of the trade, and a strict watch on parties (particularly on Saturday nights and Sundays) who conduct their business not in accordance with the laws, and shall report their names to the sub-inspector, and use his best exertions to bring them to justice. He shall keep a diary in which he will record the names of those who refuse to obey the Publicans Acts, by keeping illegal and disorderly establishments. He shall, on seeing any public-house or place where beer and spirits are sold, open at illegal hours, immediately report the same to the police, and make entries in his diary of the particulars of the reports sent by him from time to time to the constabulary, and shall furnish the committee with a weekly

weekly detail of his labours. And that he shall hold office during the pleasure of the committee?"

—Yes, that is the rule.

1877. *Chairman.*] You mentioned with regard to closing public-houses on Saturday evening, that they were closed there would be no place where the poor man and his wife could meet and calculate what they would wish to buy, and how much they would wish to spend?—I take it that that would be so.

1878. I do not understand that the public-house is the only place where a man and his wife could arrange their purchases?—But that is one of the inconveniences that would result. I do not mean to say that they do that as a matter of invariable usage, but it is an opportunity which is availed of.

1879. Do not this class of people purchase things in other shops besides spirit shops on the Saturday evening?—Yes, they do, certainly.

1880. And would not the other houses where they purchased things be as good to meet in and settle their purchases as public houses?—No, because they cannot sit down in them.

1881. You have said that the wife would be able to settle with the husband what she would carry home; I presume you meant what provisions she should buy and carry home?—Yes.

1882. Have you ever heard that what the wife wanted badly to see her husband for in the public-house, was to settle whether she was to have any money to carry home at all?—That no doubt is the case sometimes; but, generally speaking, I think that the shutting up of the houses at the hour mentioned in the Act of Parliament would inconvenience many of them to a serious extent, and would give birth to other evils.

1883. You mentioned that drunkenness has decreased of late years; I believe it has done so throughout Ireland?—I understand so.

1884. Have you any statistics to show what the decrease is in Cork?—I could not give that.

1885. Could you say at all what is the proportion of cases of drunkenness taken up by the police on Saturday and Sunday in Cork, as compared with the other days of the week?—I have heard indirectly, from the Bridewell keeper of Cork, that the Sunday arrests (that is to say, the arrests for Sunday drinking) have been and are very few.

1886. Have you any information as to what proportion they bear to the arrests during the rest of the week?—I could not say relatively what they would be; but as far as I could ascertain from the traders, Sunday produces the least number.

1887. But you do not find that in the evidence, because we have had a good deal of evidence to show that in Cork, as well as in Dublin and in other cities, the proportion of arrests on Sunday is much larger than upon any other day in the week?—I think that arises from Saturday's indulgence.

1888. And would you add, chiefly Saturday evening and night's indulgence?—I would be inclined to think that the great number you are speaking of arises from Saturday, and not from Sunday.

1889. Some witnesses of considerable experience with regard to the police have stated that the great majority of cases of drunkenness on Saturday evening and Sunday morning occur from drinking at a late hour on Saturday evening, between nine and eleven; would you be

prepared to assent to that?—I think that that approximates to the fact.

1890. I presume that I am not to understand from you that the great mass of employers of labour in Cork do not pay their men their wages until a late hour on Saturday evening?—No, I do not include those respectable people; but there are a great many industrious people, shoemakers, and tailors, and dressmakers, and various classes who cannot get their wages, and who are actually waiting about to get their wages.

1891. But still the great majority of the labouring classes in Cork receive their wages at a reasonable hour on Saturday evening?—Yes, the great majority of them do.

1892. So that the necessity of leaving the public-houses open late on Saturday night would arise not from the desirability of serving the convenience of the great majority of the people, but of a section of it?—I would say the half of it.

1893. Would you say that the half of the employers do not pay till a late hour?—There are many other circumstances that would prevent these people from availing themselves of an earlier hour besides that; it is their constant impression that the public-houses being open till 11 o'clock, they have time enough to make their purchases before that.

1894. They generally transact their business first, and then go and have some drink?—Yes, that is so.

1895. You stated that, in your opinion, the more penal the law was the worse?—Undoubtedly.

1896. How far would you carry that principle; the laws are very penal in regard to selling intoxicating drinks at present, are they not; there are many hours in which it is prohibited to sell them; do you think anything would be gained by doing away with those restrictions?—I cannot think that in Ireland you could advantageously make the laws relative to the sale of liquor more penal than they are at present.

1897. There are restrictions at present; the houses are obliged to keep shut from 11 o'clock on Saturday night till two o'clock on Sunday. I wish to know, seeing that you think it undesirable to restrict the hours any further, whether it would be desirable, in your opinion, to open them during those hours when they are now closed?—I do not think it would be desirable to open them in the now prohibited hours.

1898. Then your objection to the penal laws stops at the present point; you think it desirable to maintain the present penal restrictions, but not to increase them?—No. I would go very far to allow fair play in the matter; but, as I said before, if you restrict the hours according to the proposal of the Bill, you do a positive injury to the keepers of the public-houses, and also to the public.

1899. To go to another point: you state that your association have succeeded almost perfectly, as I understand you, in putting down the shebeen houses, and almost all the other means of obtaining illicit drinks in the city of Cork?—There may be one small one left, but I do not think there is one.

1900. In that, your success has been mainly due to the action of the police, has it not?—No, that is not so; we infringed so much upon their authority at the beginning, that they appeared to feel that we were innovators, and they gave us a

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good deal of opposition; but with the aid of the public, and through the instrumentality of the press, with which I am connected, we brought the public to see that they were doing wrong.

1901. Mr. Murphy.] In fact, you succeeded in spite of the police?—We succeeded in spite of the police.

1902. Chairman.] Do you think that if the police had set to work, and done their duty, they would have succeeded?—I think not.

1903. Why not?—The society made it a point to publish everything connected with a party who was brought before the magistrates or before the recorder, charged with a violation of the Publicans' Acts, and that had a great impression upon the public and upon the police, and we then found them more active than usual.

1904. But supposing the police were anxious to do their duty, there would be nothing to prevent them publishing the circumstances as you do, if they were determined to do their duty, and to act as you acted; why could they not have succeeded?—They might do it; but the circumstances would not receive the publicity they do receive under the influence of the society.

1905. But still the police could have done it, if they chose to do their duty thoroughly?—Certainly they could, but the cases would not have been known to the public very often.

1906. You are not prepared to say that if the police were determined to do their duty they would not be able to stop the sale of illicit drinks on Saturday evening if the hours were shortened, or upon the Sunday if the hours were shortened?—I think you would require to increase the police force.

1907. But being increased, they could do it?—You would have to increase them very largely.

1908. Is there a large amount of Sunday drinking going on in Cork and its vicinity?—I do not think there is the same number of arrests; perhaps there is not a great deal of drinking on Sundays.

1909. Do you, or do you not, think there is much Sunday drinking (I am not asking with reference to the amount of drunkenness) in Cork and its vicinity?—I do not think there is.

1910. Would you kindly reconcile that answer with your statement that the value of the trade in Sunday drinking, to the publicans in Cork and its vicinity, is equal to the whole value of the other six days?—I said in the suburban parts.

1911. All my questions have been with reference to Cork and its vicinity?—I did not make that distinction which I should have done. What I mean to say is, that in those portions of the district which lie five or six miles off from the town those parties do live upon Sunday trading.

1912. Then do you wish to qualify your answer by saying that there is a good deal of Sunday drinking in the suburban districts of Cork?—There is a great deal of it, owing to the great number of persons that go for pleasure out of the city. I know that they will avail themselves of the pleasure of taking a pint of porter, or a drink of something or other, but in the city itself I do not think there is much drinking on the Sabbath.

1913. There are, I believe, 490 persons in your trade in the city of Cork and in the neighbourhood; do you include in this return the neighbourhood as well?—That includes a portion of the suburban districts; but I should say 500 would be nearer the number.

1914. Could you tell me what number of vintners there are in the suburbs, and what in the city; is there one-half in the suburbs?—The district is so large that there might be 500.

1915. Out of those 500 houses which there may be, do you think 200 are in the suburban districts?—I do not think there are so many.

1916. Would you say there are 150 of them in the suburban districts?—If you mean by suburban the districts without the borough boundary there would be nearly 200.

1917. Are those somewhere about 200 houses, establishments which would lose largely by being shut up on the Sunday?—Yes.

1918. Those in the city, I take it from your evidence, would not lose largely?—Not what you would call largely; not so largely as the others.

1919. Will you kindly explain, then, how it is that if out of 500 houses, 200 would lose largely by losing the Sunday trading, and 300 would not lose perceptibly, the effect of doing away with the Sunday trading would be to destroy the value of the licenses of the whole 500 as you stated it would?—Lay the 200 on the 300, and the licenses of the 300 would not be worth a penny.

1920. But those 200 could not take their houses up bodily, as they do in America, and go into the city, in order to annoy men who had got houses in the city?—They could not of course do that, but if you deprive a man of the income that he has, which is derived mainly from one day in a week or a month, he is dispirited and will not keep on with a thing that will not pay him.

1921. But the statement is that if the houses were closed on Sundays alone it would totally destroy the value of a license, which is now from 50*l.* to 200*l.*, and I want to know how it would destroy the value of the license of a house in the city of Cork which did not do much business on the Sunday, although I quite admit that it might affect a house in the suburbs, which did do its business on the Sunday?—The amount of property in any market regulates its value, and those people coming in perhaps two or three in a month, and throwing in their licenses, the buyers finding so many in the market would only give a low price for them; one man would take 30*l.*, one 20*l.*, and one 10*l.*; it would come to that; it must reduce the value of a real *bonâ fide* licensed house.

1922. What I cannot see, is how a house being closed in the suburbs because it was no longer profitable to keep it open, could affect the value of the license of a house in the city of Cork, which did not do much business on the Sunday?—From the very fact of men in the suburbs being obliged to sell their license.

1923. Then it would come to this, that if a man in Dublin gave up his license that would affect the value of a man's license in the city of Cork?—No; that would make no difference.

1924. Why not?—That would be too far to travel to get a drink.

1925. Then a license thrown up in Queens-town would not affect the value of a license in Cork?—Not so far as you have stated.

1926. Then you will not maintain your original proposition that the surrendering of a few licenses in the district would affect the value of all the licenses in Cork?—No; not to the full extent of that.

1927. Am I right in understanding your argument to be this, that the licensed vintners of Cork, by their praiseworthy exertions in putting down

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own drunkenness, have raised the value of a cense in the city of Cork?—Undoubtedly.

1928. Not its legal value?—No; but its intrinsic value.

1929. Its value for purposes of sale?—Yes.

1930. You consider, therefore, that the publicans having to pay a considerable sum for their censes have acquired a peculiar right, and that whether or not it was desirable, in the interest of the public, that Sunday trading should be stopped, the publican should, in virtue of having paid a certain sum for his license, be permitted to trade upon the Sunday?—I will not go so far as that; I would look at the fact of drunkenness having diminished a good deal, and I believe that, at present, the city of Cork in every way, so far as that trade is concerned, is very well conditioned indeed.

1931. Then you do not press the argument of injuring the property of the vintner, so far as to say, that the Legislature have not the right to interfere with their property, even if it be for the good of the public?—No; I would not press it so far as that.

1932. And you would hardly, I suppose, support the epithet which was applied in your petition, and which was made use of at your very influential meeting in Cork, of calling any change in the law a confiscating law?—I look upon it as confiscating, inasmuch as it would deprive a man who has, perhaps, his whole means invested in that property, and who has, perhaps, purchased the house, or rebuilt it out of his profit. I consider anything that would deteriorate that man's property, if he is a man who keeps a respectable house, would be confiscation.

1933. Do you consider that in the event of any change in the law which was for the public good, but which might injure one particular class, the public have not a right to do what is right, although it might injure one or two individuals?—I agree that that is a moral principal which is very right; but see the individual losses that would arise.

1934. You presided, I think, at a very influential meeting of your trade with regard to this Bill in Cork last year at the end of June?—I did.

1935. I wish to draw your attention to one or two arguments which were adduced then, in order to see how far they will meet with your concurrence now; one of those was, that if this Bill passed it would shut up the distilleries and the breweries?—There is a misprint in that, I think.

1936. I have the Report here: "In this country we have no other manufactures of the least consequence" (except the distilleries and breweries); "and if those establishments are closed by cruel legislation, what will become of the people." You would not press that argument so far as that?—That would be too extreme; that does not exactly represent what was stated.

1937. Then you would not press that argument to the extent that it was put there, that "it would be a serious loss to the farmers and to the country if these establishments were closed, there would then be no purchasers for either barley or oats"?—I did not state that, but I agree that would be the case.

1938. That if this Bill was passed "there would then be no purchasers for either barley or oats;" do you mean to stand to that?—I would not go so far as to say all that; but I do say that anything that interferes with the legitimate working

of an honest respectable trader would be in some way an injury to trade, and would reduce the value of barley and oats, of which the distillers and brewers are, locally speaking, very large purchasers.

1939. Do you seriously maintain here that if this Bill were passed, or if a Bill were passed closing the public-houses on Sunday, it would affect, by one farthing a quarter, the price of barley?—I would not say that it would affect it much.

1940. Would it affect it to the extent of one penny a quarter?—Not having been in the trade, I cannot say; but if you close on the Sundays, that would be seven weeks in the year taken away from the present traders.

1941. Then do you, as a publican, look upon the 52 Sundays as equivalent to 52 common working days upon which the publican is entitled to carry on his trade as he is upon the 300 other working days?—I would not look upon it in that light for every trade, but I would look upon the Sunday as a day upon which the working man is entitled to get a little comfort and refreshment, and that it would not be right to close upon that day.

1942. I am taking the argument as applied to the question of depriving the publican of the right of trading upon 52 days in the year. I want to know whether, in your opinion, the right which the publican has to carry on the trade on the 52 Sundays is the same right as that which entitles other tradesmen to work on the other 300 days of the year?—If the law permits it, it is.

1943. Is not the Sunday trading a perfectly exceptional thing; and are not those trades which are allowed to be carried on on the Sunday, such as the trade in milk and other refreshments, as allowed, not for the good of the traders but for the good of the public?—Yes, I admit that; but those exceptions, even if prohibited, would not have a tendency to do so much harm to the public as the closing of public-houses would.

1944. At a meeting, and no doubt a very respectable and influential meeting, in your city, a resolution was come to that you deemed it "an essential duty that not only the trade but the public should be invited to sign petitions against this Bill"; may I ask whether you carried out that which you considered a duty?—We did.

1945. Will you kindly inform the Committee what was the result?—I do not know; as far as the petition went it came to the House of Commons.

1946. Was that a petition from the public of Cork, and not the publicans?—It was signed by all classes of people.

1947. Can you tell us what was the number of signatures to that petition?—I cannot say.

1948. In fact, you cannot tell me what was the result of this effort to get petitions signed?—Although the time was very limited the effort was very successful; the petitions were signed very largely, but I may say that a great portion of the signatures were not sent in time to post with the petition; a number remained behind.

1949. But still it appeared that the signatures to that petition amounted to nearly 700?—I should say it was nearer 1,000.

1950. You have stated that there are in Cork about 500 owners of houses for the sale of drinks; I presume they generally signed this petition?—I cannot tell you that, really; but I presume every

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every man in the trade to whom it was presented signed it.

1951. That would leave you 500 signatures for the whole of the non-trading interested portion of the public?—We had not time sufficient to carry the petition about, so as to have it signed by the public. We wished to have it posted by a certain time.

1952. Have you taken any steps since to ascertain the opinion of the general public of Cork upon the subject?—No, I have not taken any public steps of any kind.

1953. And I may say that no petitions have since been presented?—No, but it is in contemplation to hold another public meeting immediately.

1954. But so far we have not had any petitions from the general public except this one?—Very few take any notice of it except those that are in the trade; that is one of the reasons.

1955. At that meeting there was published a letter from your excellent representative, Mr. Maguire, in which he mentioned that he “presented a petition on the part of more than 700 citizens, many of them of the highest respectability, in favour of the general principle of the Bill”; I suppose that is accurate?—As far as signatures go it is very inaccurate; you would not conceive that a petition from a few infants in a ragged school would be very influential.

1956. What part do you dispute; that there were 700 signatures?—I do not know how many there were; but this I know, that they have been obtained in a very curious way.

1957. Will you tell us anything that you know of your own knowledge?—I do not know that of my own knowledge, but from general observation.

1958. Will you mention generally, from what you do know, how this petition was signed?—I do not know who were the responsible parties, but I know that in that year there was a party running about Cork to obtain signatures to a petition, which ostensibly put forward the idea that all public-houses should be closed on Sundays, or assertions tending to that effect, by which promises they gained many signatures from very respectable parties; but to counteract the influence attached to that, they had gone into the infant schools and got the tutoresses and masters, and the infants in those schools, to sign their names for Sunday closing.

1959. Would you inform the Committee whether it is of your own knowledge that those signatures of infants were signed to the petition or not; and, if not, what is your authority for saying so?—I speak from general conversations, general observations, and general remarks upon it.

1960. But you have no precise authority to give for the fact which you allege?—I will not allege it of my own knowledge exactly.

1961. But you did mention of your own knowledge that signatures were obtained on the unfair pretext that it was in favour of this Bill, while it was in favour of totally closing, and that many respectable persons signed it because it was in favour of total closing?—I have no personal knowledge of the circumstances, but I speak from what has oozed out; if I were to give my opinion I would say that I believed it to be true.

1962. Then those respectable people were in favour of going beyond this Bill; they were in favour of total closing?—That is what was said.

1963. Then the Committee may put one petition against the other; one signed by many influ-

ential people for the Bill, and one signed by 700 against the Bill?—The trade is represented by several thousands of pounds which are invested; we had not time to get the petition signed more numerously. The next will be large enough, you may depend.

1964. Will you tell the Committee what are the usual hours during which the assistants in these houses are usually employed on week days, what hour do they generally open in the morning?—I think the usual hour is about seven, or perhaps some before; say half-past six.

1965. And they close at eleven at night?—Yes, they close at eleven at night.

1966. They are not allowed to be kept open after eleven at all?—No, they are sure to be shut then.

1967. Then the assistants are employed from half-past six in the morning until eleven in the evening?—Not without intermission. I have known some in the trade that allow the young men to go out and take a run in the course of the day.

1968. And on Sundays they open at two o'clock, do they not?—Yes.

1969. The assistants would require to be there a little before two?—The moment the door is opened.

1970. And remain until 11 at night?—And remain until 11 at night, as at present.

1971. Have you ever heard any of the assistants in Cork say, as their association in Dublin said, that they considered these very hard hours of work?—No, I have not heard any of them make those remarks; but I presume they would be inclined to say so, if they were asked.

1972. Mr. Maguire also says, “I can personally state that many members of the trade in Cork have expressed themselves in favour of an earlier hour for closing, and have complained of the terrible slavery to themselves and those employed by them of the present system which, in too many instances, precludes the possibility of that necessary recreation which all persons in business require”; I presume you would not be prepared to dispute that there are many members of the trade who have so expressed themselves?—They may have so expressed themselves; but a person will often use the word many for a few. I do not know that there are many, but there are some.

1973. Then am I to take it that you yourself do not consider the amount of labour excessive; you do not consider that it precludes the possibility of that necessary recreation which all persons in business require?—In Cork it so happens that the assistants are not so numerous as they are in other places. A great proportion of the business in Cork is done by the owners, their wives and daughters, and that class who are connected with them; but the assistants, I would say, in Cork are not many; I would say half the number in the trade.

1974. Do you not think that the hours you have mentioned on working days and on Sundays also, are very hard hours of work for them and the members of their families, remembering that it is for seven days instead of six?—I would say that if they had the possibility of obtaining a living without labouring so much, it is very likely they would give it up; but being obliged to work for their living they must do it, and they do it with a kind of content. I know that the physical infirmities arising from too much labour

are

not to be disputed; but yet they are so devoted to the pursuit of the trade from year to year, that they do not feel it so much as persons outside the trade might believe.

1975. Mr. *O'Neill*.] You stated, in reply to Mr. Murphy, that one of your objections to this Bill was that it would deprive the inhabitants of work, who went out to take long walks into the country, of the possibility of getting anything to drink; but do you not think that the fact that this Bill proposes to leave public-houses open during a certain number of hours on a Sunday will obviate that inconvenience?—I do not know what it would, and my reason is this: if you fix legally an hour for closing, the excursionists, or the travellers among the working classes that have neither watches nor clocks, would miss the time, and probably would not get their refreshment; and if they do succeed in catching the legal hour, they must stay, whether it is raining or hailing, outside the door.

1976. In lessening the number of illicit houses you mentioned that your Society had done, have you been assisted by the people generally, and by the clergy of the respective religious denominations?—We have received the subscriptions, I may say, of all classes. We have received the subscription of the Catholic Bishop and of the Protestant Bishop, and the aid and encouragement and supervision of the curates to put an end to it.

1977. Do you think that, considering, as you said, that the principal amount of drinking on Saturday night occurs between nine and eleven, if a provision were passed making it necessary to shut public houses at nine in the evening, the employers of labour would not, considering the general good to the people, pay their wages earlier than they do at present?—If it could be done, it would be done even now; but it would not prevent the evil.

1978. But to a certain extent it would, would it not?—It may; but, unfortunately, Irishmen are so fond of their drink, that there would be a compound for them at a convenient place.

1979. Mr. *Dawson*.] There appears to me to be some slight discrepancy in your evidence. At the commencement you said that there was six times as much drinking on a Sunday as there was on any other day of the week; that is, the public-houses do more business on the Sunday than they do on all the other six days in the week?—In the rural districts.

1980. And then at another part of your evidence you said there was more drunkenness on Saturday than on Sunday; so that if there was more drinking on Sunday than on all the other days of the week, how do you account for the fact that there is less drunkenness on the Sunday than on the Saturday?—What you have taken there, are the rural districts; it is principally in the rural districts.

1981. And that does not so much lead to drunkenness as drinking in the towns?—It does not.

1982. In fact, your opinion is that the law does not require any alteration at all; that it is quite sufficient now for the accommodation of the public, and in the interest of workpeople, and that there is no necessity for any change in the law; is that the purport of your evidence?—No, I would not exactly go so far as that; I would say that the licensing law, and the Publicans' Acts, require great amendment. I do not say so with reference to the limitation of time,

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but with reference to the general action and liberty which the magistrates and the recorder possess; I think there is great alteration desired in that respect.

1983. Could you sketch out at all the alterations that you think it would be desirable to effect?—No; it will be very difficult to analyse the question and to go into particulars now. You make comments every day when questions arise, but you cannot say all at once what you would suggest.

1984. Mr. *Monsell*.] You state there is at least as much drinking on Sundays, in the suburban districts, as in the other six days of the week; what I want to ascertain is this: is the drinking, on Sunday less within the city than it is on the other days of the week?—It is so, particularly during fine weather, when there is inducement for moving out of town.

1985. The principal argument, as I understand, that you have used against this Bill was, that you considered it would be impossible to prevent the creation of shebeen houses or, in some other way, the sale of spirits, which you said would probably be adulterated?—I said so.

1986. Is there the greatest possible temptation now, on account of the high rate of spirits, to set up shebeen-houses; are not the profits of shebeen-houses now enormous, in any part of the country where they are carried on?—Shebeen-houses profits are always enormous, because they sell at illegal hours, and those who look for it will pay any money for it; but they would not be buying an Act of Parliament spirit at all, but it would be a compound.

1987. At the present time there is the greatest possible inducement to persons to establish shebeen houses, is there not?—If this Bill be carried out there will be.

1988. But at present, I mean?—No; there is so much supervision, and the accommodation is so great, that I do not think they could do it.

1989. But the supervision would be just the same if this Bill was passed; my question is this: are not the pecuniary temptations, that is to say the temptations to profit, almost as great as they can be to induce people to establish shebeen-houses?—I thought I answered part of that before; certainly they are; but the facility of doing any good at it is not at present great. There is no facility in getting customers now, because the accommodation in the other places is sufficient for all purposes; if you limit the accommodation in other houses, then they would get a business.

1990. But supposing, in a country district, a man had been detected by the police in carrying on a shebeen-house, what would be the result?—In country districts it could not be carried out without the police discovering it; in cities they may discover it, but it would take a considerable time, probably.

1991. But what I want to know is this: is not there the strongest possible temptation now to establish shebeen-houses, but that the supervision that the police carry on is sufficient to prevent the shebeen-houses from being opened?—The temptation to establish shebeen-houses is not great; partly owing to the supervision of the police, and partly to the punishment attached. Besides that, a person now trying to establish a shebeen-house could do as well at anything else with the supervision that there is.

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1992. That

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1992. That is to say he could not make a large profit?—He could not make a large profit.

1993. Even if he were uninterrupted?—I would not say that; if he was allowed to carry it on he would make something.

1994. Why would there not be the same provision for supervision on shebeen-houses, if the Bill were passed, as there is at present; the temptations are now great to establish shebeen-houses; but notwithstanding that the supervision is sufficient to prevent them being established, how would the supervision be diminished if the Bill were passed?—Take away the supervision, and pass the Bill, and then you will have plenty; but keep up the supervision, and even then you will have many.

1995. This Bill will not interfere with the supervision; therefore why would a supervision which is never effective not be sufficient under this Bill to prevent them from doing the same thing?—Because the supervision that is necessary just now is very limited; but pass this Bill and you will have shebeen houses in every corner throughout the country, and throughout the cities, and in every place where parties are to be found, who would drink any kind of spirituous matter; then the supervision would have to be increased, I suppose, tenfold to watch every party in the business.

1996. But the supervision would be as great, at least after this Bill was passed, as it is now?—It could not extend itself to the whole.

1997. But would not there be as much supervision after the Bill was passed as there is now?—There would be a difficulty in preventing an illicit trade.

1998. Would the operation of this Bill, if it were passed into law in any way, diminish the power of supervision?—This law would not diminish the power of supervision, but it would increase the necessity for supervision to such an extent that it could not be accomplished.

1999. That is to say, it would increase the temptation to open shebeen houses?—It would.

2000. But in answer to a former question, you said that the temptation to open shebeen houses was as strong as ever, and if, of course, anybody could open a shebeen house, he would make an enormous profit?—I stated that conditionally; if you pass this Act.

2001. At present is it not perfectly certain that in every part of Ireland any man who could manage to carry on a shebeen house, and carry it on uninterruptedly, would make enormous profits?—If he was allowed to do so; he would save the license in the first place.

2002. Mr. Pim.] You gave it as your opinion that earlier closing on Sundays would be desirable; you spoke of nine o'clock, I think?—Yes; I think the trade in cities would not care very much about it; there would be some objection, but the respectable members of the trade would have no great objection if they were obliged to close.

2003. It would be a great benefit to persons employed in the trade, that is to say, to their wives and daughters, to have an earlier closing; to have two hours more to themselves on the Sunday?—I think so.

2004. I think you rather objected to an earlier closing on Saturday, and your reason was, that it would give rise to the establishment of shebeen houses?—Yes.

2005. I think you stated that at the time that

your association was formed, there were a great many shebeen houses in Cork?—There were.

2006. And that your exertions, aided by the ministers of religion, have put them down?—Yes.

2007. Supposing that by law houses were closed at nine on Saturday, you would have the same assistance from the police and from the ministers of religion in your exertions to prevent shebeen houses from being opened as you have had already; do you not think in such a case, that the exertions of your association would be equally effectual to prevent the opening of new shebeen houses, as they have already been to put down those that did exist?—Unfortunately, the parties who desire to become shebeen owners are generally persons who, in point of character, have nothing to lose; they do not announce it to the public; they do it in privacy, and in very obscure places, in such a way that the authorities would not, for a long time be able to get at them; in some cases they would not be worth fining, as they would not be able to pay the fine; therefore they are desperate characters who would go into business, knowing that they could make something of it, and you would find that those characters would be at it again. Nothing could touch them; supervision will not touch them, unless it is very strict. I think the last we caught, was caught through the instrumentality of the person who received the drink, and he was caught at a very late hour; it is so difficult even to watch them; the police could not find them out.

2008. But those who are likely to set them up, are not any worse characters than those that have already been put down?—One party was convicted twice, and he set up again.

2009. You are allowed to keep your houses open on Sundays when most other shops are closed?—We are.

2010. Do you consider that to be for your own benefit or for the benefit of the public?—I think both; to compare these with other shops who pay no licenses, is a thing which in itself indicates the idea that they have not the same right.

2011. You think that the fact of paying a license gives you a claim to be open on Sunday?—It gives a portion of the claim.

2012. Major Gavin.] I see that in your rules you say this, "He shall keep a diary, in which he will record the names of those who refuse to obey the 'Publicans' Acts' by keeping illegal and disorderly establishments; he shall on seeing any public-house, or place where beer and spirits are sold, open at illegal hours immediately report same to the police, and make entries in his diary of the particulars of the reports sent by him, from time to time, to the constabulary"; now, may I ask, if this Bill was passed, should you not still consider it your duty to do this?—At the time that that rule was drawn up, and at the time we commenced moral operations in Cork, as a trade, the trade was so very low that the rule was quite essential; but I believe that for the last five or six years that rule has been practically null and void; it is unnecessary to do all that is there stated now, because the trade has improved.

2013. But you said that if this Bill was passed, it would cause the opening of shebeen houses which you had succeeded in putting down?—It would.

2014. Would

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2014. Would it not still be your duty to put those places down?—We should require so many agents in the country round.

2015. But I mean in the city; you have done it before, and I cannot see why you should not do it again?—It was very partial before, and its existence was nothing to what it would be now.

2016. But after all, this case would only apply to Sundays; only one day in the week?—Only one day in the week.

2017. But do you not think that the great body of your people who are, I suppose, fond of law and order, would still think it their duty to report to the police if any improper houses were opened?—If such things were established, or about to be established, they would take every care to prevent it.

2018. And no doubt in the event of this Bill passing, your exertions would be just as great to prevent these irregularities as they have been?—The Bill would have a partial operation; it would make others desperate; it is not only shebeen houses that would be established, but others in the trade finding that their neighbours were allowed to be open who have little refreshments about them in the shape of cakes and food, would think it a tremendous hardship; they say, where you go on Sunday to get a dram or a drink you will go on Monday, you will not come to me; I am obliged to be shut while my neighbour is open.

2019. Is there such a thing as spirits sold in milk shops in Cork?—I do not know that there is; I never heard.

2020. Have you not known that in the suburbs that is the case sometimes?—I never knew it; I do not believe it is.

2021. In the vicinity of Cork I suppose there is a good deal of ball-playing on Sundays, I suppose?—Not now; there was not very long ago.

2022. Wherever there is a ball-court I suppose there is a spirit shop?—Yes, there is, mostly; but they are generally in large towns and cities, not in the suburbs; I do not know of any.

2023. Mr. Murphy.] You were asked about a certain petition; was there any public meeting in Cork held last year for the support of a Bill similar to this?—No, not in support of the Bill.

2024. Are you aware who the parties were who went about procuring signatures in favour of this Bill?—No, personally I have no knowledge of them; but I know that in the "Southern Reporter" office, where they went to obtain the signature of the proprietor, he said, "We will not sign upon such a thing as that."

2025. Are you aware whether the parties were inhabitants of Cork or not?—No; I think they were inhabitants of some other quarter.

2026. Did you hear that they came on their own account, or that they were acting as agents for some other party?—Yes, I heard that.

2027. That they were sent in by some external party to procure signatures to the petitions, and that it was not a voluntary emanation from the inhabitants themselves at any public meeting assembled?—Exactly.

2028. Mr. Monsell asked you very closely about a hypothetical case, with reference to the supervision of the police. Supposing the present Bill were to pass into law as it is now would the effect of the present supervision be very much the same as it is now?—No, if you pass the Bill into law, it would be very difficult to supervise effectually.

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2029. Assuming the effect to be just as great, would or would not the number to be supervised be increased?—Yes, it would be increased.

2030. So that, although the number of supervisors would be the same, the number to be supervised would be so much greater that it would be impossible to supervise them?—It would be impossible.

2031. It is your opinion that if a law was passed restricting the hour of closing, that should apply to all parties who sell beer and spirits?—It should be universal.

2032. It should not extend to licensed victuallers only?—Certainly not.

2033. Would you extend that to hotels and eating-houses?—Hotels have a right to exist, but there should be no public bar open after the hour designated.

2034. You would apply the same observation with reference to cigar divans?—Yes.

2035. Earl of Mayo.] On Sunday evenings, what hour do you find the greatest consumption of spirits takes place?—I could not exactly say, but I know that immediately after opening at two o'clock, a dram is taken as a sort of "raw chaw," as they call it, but, I believe, so far as I have known for years, it has not been very great; there was a Sunday morning trade, but that is shut up altogether.

2036. You think that there is no drinking before two o'clock?—Not before two o'clock, and even those who take it then take it for a stimulant previous to a walk into the country.

2037. Those people dine generally before two o'clock, I suppose?—No, they do not, I think.

2038. With regard to this, which is your busiest hour; do you consider that that is generally before or after the usual hour of dinner of the working classes?—The working classes associate on Sundays together and treat each other, but as for the drinking in Cork on Sundays, there is no such thing; it is all done in the suburbs, or very much the greater part of it.

2039. How does the consumption between nine and eleven at night bear comparison with the consumption between two and four in the day; is there more drinking between two and four than between nine and eleven?—I cannot say as to that, but I know that when the law permitted them only to be open until nine they were not dissatisfied with it, but the extra two hours' indulgence on the Sunday was the thing conceded to them.

2040. The old law was, that they should be closed at nine?—Yes.

2041. Do you think that that state of the law gave much dissatisfaction?—I do not know that it gave much dissatisfaction to those in the trade generally, taking them as a whole.

2042. To the people; I am not talking of the trade?—I have no reason to think that it did.

2043. You cannot tell what hour of the day on Sunday the most drinking goes on?—No; I think it would be very hard for me to say, not having been in the trade for some years; but I should think they run up to the hour of closing, as they do on week-days, with the exception of the drinking being less in consequence of excursionists and travellers, and walkers out of town.

2044. Their habit, I suppose, is to take a glass before they start, and to take another when they have done their walk?—I do not know that they do that.

Mr. WILLIAM HEALY, called in; and Examined.

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2045. *Chairman.*] WHAT are you?—A Grocer, Spirit Dealer, and a Licensed Vintner.

2046. In the city of Cork?—Yes.

2047. Mr. *Murphy.*] Have you read this Bill, or do you know what the object of it is?—I do; I understand the object of it.

2048. What is your opinion as to what the effect of the Bill would be (speaking of it as a Sunday Bill altogether) upon the licensed publicans in the country districts about Cork?—My opinion is that it would be a very great injustice to those people, that being the only day, properly speaking, for their trade; of course, they consume larger quantities; between two and three casks of porter, perhaps, on the Sunday, which enables them to hold on during the week, and they supplement that by some other work.

2049. Is it your opinion that the sales on Sunday bear a very large proportion of their weekly trade?—A very large proportion.

2050. In fact, they sell four or five times as much on the Sunday as they do in the entire of any day during the week?—Yes, for the six days.

2051. In fact, you may say that their earnings are dependent almost entirely upon the Sunday trade?—Almost entirely.

2052. Have you given your attention, with reference to the comparative quantity of drinking in the city of Cork proper, on the Sunday, as compared with other days?—The drinking on Sunday in the city of Cork is very much smaller; there is a quantity consumed up to a certain hour; the people, as has been already said, go to various country towns for excursions, and that almost is the rule for five months in the year. Cork, during those five months, is almost deserted on Sundays. Of course, in the country districts, some of them take with them their refreshment, but the very great majority of excursionists cannot afford to do so, and as a matter of course they drop into the public-houses, and take their bread and cheese and beer; they are very well conducted, as I have experienced.

2053. You have had experience yourself of that fact?—Yes.

2054. Looking at the provisions of this proposed Bill are you of opinion that it would be likely to effect the object proposed by the promoters of it, namely, to restrain excessive drinking on Sundays?—My impression is that it would have quite the opposite effect.

2055. Why do you say that; what is your reason for thinking so?—Of course illicit trading would, as a matter of course start up, and those refreshment houses, as proposed by the Bill, I would say would almost entirely, by-and-by, become illicit or shebeen-houses; they would, practically, be shebeen-houses and perhaps worse.

2056. I presume it is scarcely necessary to ask you whether it would not be your opinion that there should be either the total closing on Sundays, of every description of house, where liquor was to be sold, or the opening of them for certain continuous hours under supervision?—Just so.

2057. And you do not conceive the measure proposed by this Bill to allow spirits to be bought, but not to be consumed on the premises, could be carried into effect?—It would be almost impossible to carry it into effect.

2058. Have you formed any opinion with reference to the desirability of restricting the hour of closing on Sunday evening?—I think the hour ought not to be later than the former hour.

2059. Do you think that nine, on Sunday evening, would be the proper hour to close?—It would be quite late enough.

2060. A considerable amount of evidence has been taken before the Committee, with reference to the desirability of closing at an earlier hour on Saturday nights than at present, as by law allowed; have you given that subject your attention?—Yes; my impression is that it would be a very great hardship on the trade.

2061. Do you mean that it would be a hardship to those engaged in the spirit trade?—Exactly.

2062. Do you think it would be a hardship, in many cases, upon mechanics and labourers?—I do.

2063. Why so?—Saturday is very well known as being the principal day for every description of business, and it has been already stated that the labourers and mechanics are in very many cases not paid till 10, or even 11, on Saturdays; that I am aware of from my own knowledge, and as a matter of course the first thing those people, the labourers and mechanics do is, if they want clothing or shoes, and so on, to buy it; that is the only day on which they can get them, and they go to those shops, and that takes them an hour or two, and then they go to other houses, grocers, and so on, and then perhaps to the public-houses, and get from them what they want.

2064. You are a grocer, I believe, as well as a licensed vintner?—I am.

2065. Of course the two establishments are quite separate?—Yes, they are quite separate, although they adjoin one another.

2066. In your case, suppose that you were obliged to close your spirit shop at, say, seven on Saturday evening, as was suggested by a witness here; what effect would that have upon you?—This effect, that my customers and such parties as I have mentioned, finding my shop closed, would very easily find their way to those shops which are now springing up, called spirit grocers; those people would buy it there, although they would not be allowed to consume it. I know places where there is more spirit consumed than in the largest public-houses.

2067. Are there a good many in the city of Cork?—There are a good many, and there has been an addition within the last six months.

2068. The effect of the establishment of those spirit grocers is this, that spirits are absolutely consumed on those premises, although the law says they shall not be so consumed?—Yes.

2069. And the tendency of such a Bill as this would be to create those spirit grocers' shops, and in that way, instead of remedying the evil to increase it?—Yes, in my case I have observed it.

2070. Earl of *Mayo.*] Have you a wholesale license too?—No; those people would go to another shop if they found my shop closed, and under the ostensible purpose of buying groceries they will get whisky, and they will go there for that purpose, and traders such as those who close at seven o'clock or eight o'clock would lose their custom

custom up to 10 or 11; and in all probability they would lose their grocery custom too.

2071. Are you aware of the fact that it is the habit of mechanics and working people, so late as 10 or 11 o'clock, to buy groceries?—Yes, it is the regular custom on Saturday nights. We have to keep our doors open after 11 o'clock, and I ask them sometimes why they come so late; and they say it is only just now we have been able to get our wages and settle our little affairs. I frequently keep open after 11 o'clock to sell to them.

2072. And what do you sell them?—Groceries.

2073. Mr. *Murphy*.] Are you aware that it is not the custom in Cork, amongst a comparatively large class of labourers and mechanics, to leave off work till eight or nine o'clock in the evening?—No.

2074. They are not restricted till six or seven o'clock, but work till eight or nine o'clock, and are not paid their wages till after that?—Very often.

2075. And for those reasons it is your opinion that restricting the hours on Saturday night to nine o'clock, as was the old custom on the Sunday, would be injurious and would do no good, and would not prevent drinking?—It would not prevent drinking, and it would be injurious to the trade.

2076. Do you think that the hour on Saturday evening could be shortened at all, or that it might be without any inconvenience?—My own impression is that the hour should not be later or earlier than 10, with this understanding, that all licensed houses should be closed at the same time; licensed grocers and all.

2077. Earl of *Mayo*.] Wholesale houses and all?—Yes, wholesale and all; in point of fact, the wholesale dealers are now closed at 10.

2078. Mr. *Murphy*.] Are any of these spirit grocers' shops open on Sunday, in Cork?—There are a few in the back streets.

2079. But they can be open if they choose?—They can be open if they choose; and of course they can do a little in the illicit trade too, but it is very small.

2080. Earl of *Mayo*.] What do you mean by an illicit trade?—The early morning drinking, before two o'clock on Sunday morning; but the law being to keep open till 11 they can do nothing in that way.

2081. Do you think that any illicit trade which goes on before the proper hour is carried on more in connection with the wholesale houses than with the publicans?—No; there are very few of those that I am speaking of. The evasion of the law on Sunday mornings is principally confined to the lower class of public-houses; there is a very great reformation in that, as Mr. Barry has observed; but there is much to be done, and any amount of supervision can hardly command it.

2082. Mr. *Murphy*.] The spirit grocers can keep open on Sundays, I believe?—They can.

2083. Presuming a law was passed, as proposed, that spirits should be allowed to be bought, but not consumed on the premises of licensed vintners, do you think the tendency under that state of facts would be, that spirits would be bought, sold, and consumed at the spirit grocers, although prohibited?—Yes, there is already a very large illicit traffic by those men, and this Bill would be a very strong incentive to go further.

2084. The general conviction on your mind is this: that in order to make any law of this kind

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operative, it should extend to all parties in the trade; and that in the next place the hours of remaining open should be continuous, and not intermittent?—Yes, and not to close earlier than 10 on Saturday night, and not later than nine o'clock on Sunday night, and the earlier, if possible, the better. As regards the Sunday closing, it is quite a matter of indifference to me; I open only for a few hours on the Sunday and close at eight, and I am preparing to close altogether.

2085. Earl of *Mayo*.] What is your usual time of closing?—Eight o'clock. I have never taken advantage of the permission to keep open later.

2086. Are there many men in Cork, in your trade, who adopt that plan of yours?—No, very few. There are a few who do not open at all; but those who do remain open till 10 or 11 o'clock.

2087. Do you find a great loss in your trade from closing at eight o'clock?—No, for this reason, that the little I do is principally confined to the housekeeping class; that is not so fluctuating as the trade with the other classes, and the people who go to the country generally leave the country by trains about eight o'clock, and they drop into Cork then; and by closing the public-houses then the temptation would be removed.

2088. Do you think that the general habits of all respectable people who go out of Cork on Sundays is to turn their faces homewards between seven and eight o'clock?—Yes.

2089. And they do not practically require refreshment after that?—They do not practically require refreshment after that.

2090. And the persons who would require refreshment after that would be more tipplers or drunkards than anything else?—Yes.

2091. *Chairman*.] I suppose there would be no difficulty in making the law include everybody, if the law was that every house should be shut?—Yes, hotels and clubs, and all.

2092. Except, of course, for travellers?—Yes, as regards the hotels.

2093. I suppose you know there would be a difficulty in regard to clubs, as being places of consumption but not sale?—That might be overcome.

2094. On Sundays you think establishments for the sale of refreshments might always be closed at nine?—That would be quite late enough.

2095. Your great reason for leaving them open on Sundays is for the sake of excursionists, which applies very strongly to Cork?—Yes.

2096. One very competent witness, Mr. Hamilton, your stipendiary magistrate, suggested that they might be closed earlier in winter than in summer, because the excursionist traffic does not then exist: would you agree with that?—It would not make a great difference.

2097. His proposal was that they should be closed on Sunday at eight in summer and at six in winter; you, perhaps, would not wish to see them closed so early as that?—My individual opinion, perhaps, might be so.

2098. But you certainly think there might be a distinction made between winter and summer?—Perhaps you had better strike an average, and strike off another hour, and say eight o'clock all round.

2099. I suppose you are aware that the greatest amount of drunkenness on every day in the week does arise from late drinking?—From late drinking.

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2100. Then

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2100. Then a man who goes to the public house with the intention of taking a little in moderation has the opportunity of sitting till 11 o'clock, and so of getting drunk?—Yes, perhaps as a rule that is so.

2101. Do you agree with that statement?—Generally I think that is so, although it is not the case always; people, I know, get drunk very much earlier than 11 o'clock.

2102. What hour on Sunday do you think there is the most drinking at your house?—My house shuts at eight o'clock, but the general drinking time is from eight or nine to eleven; that is the time when people drop in from the various country districts; up to eight o'clock there is very little drink of any kind consumed in Cork; Cork is perfectly quiet, and as well-ordered a city as any in Ireland, and then when the excursionists return from the country districts the consumption begins; I know some few houses where there are taprooms, and I have been talking to one of the owners, and he is very anxious that they should be closed at nine; and he said, "I do nothing but from eight to eleven, and I am tired of it."

2103. *Earl of Mayo.*] Would not the excursionists feel it a great hardship if they came in and could not get anything in the shape of refreshment?—No, I do not think they would think so; they would have had so many good things before they came to Cork that they would not think it so.

2104. *Chairman.*] I suppose you are aware that the proportion of cases of drunkenness taken before the magistrates is much larger of people taken up on Saturday evening than at any other time?—As a matter of course; but I believe that the statistics prove that drunkenness on Saturday nights is considerably less than it was at any former period.

2105. Are you aware of the system as stated by the stipendiary magistrates which was adopted in Cork in March 1867 of closing the public houses for a month at six in the evening on Sundays, the result of which was, that whereas the average of the number of cases of intoxication brought before the magistrates on Monday had previously amounted to 40, they amounted only to 14 on one occasion, and 16 on the other?—I think it was the feeling of coercion that was abroad which prevented the people from getting drunk; in point of fact, people were not able to get to the public-houses; they were afraid, except that they were shut; I think that was an exceptional case, and a case of that kind I do not think applies.

2106. The resident magistrate and the police have given a very strong opinion with reference to closing earlier on Saturday nights; stating that by far the greatest number of cases of drunkenness in the whole week occur in the two last hours, and they have suggested nine o'clock; have you any strong reason for saying that it is necessary to keep them open till ten?—The reasons I have stated, I think are sufficiently strong, that it would be a great oppression if a man could not remain at his public-house until that hour, and the trade would be inconvenienced. There is a small tradesman in my neighbourhood, a tailor, employing about 10 men, and almost every Saturday night I am obliged to lend him a few pounds to pay those men. I know very large builders whose men are not paid until about the same time, and then, perhaps, only about half their wages.

2107. You would not extend that to any large proportion of the employers of labour in Cork?—Not to the great mass of them.

2108. The great mass of the employers pay before that time, do they not?—A great number of them are tailors and builders and carpenters, and I am aware that those men often do not get more than half their wages on the Saturday night.

2109. And the great injury to those people would be, that whilst they might have time to go and buy clothes and provisions, by closing the public-houses, they would just lose the opportunity of going to get a glass before going home?—Yes, and would require that just as much as a garment very often.

2110. *Mr. O'Neill.*] You stated in the beginning of your evidence, that the closing on Sunday night would increase illicit drinking very much?—That is my opinion.

2111. And you stated just now, that when during last year the public-houses were closed at six on Sunday evening, so much influence was brought to bear upon the people that they could not in any way get drunk at all; do you not think that if the closing was still earlier on Sunday, and that influence could be brought to bear, it would operate to prevent illicit houses being opened on Sunday?—No, I think, moreover, that that case is a very exceptional one; the people during five months of the year are very largely out, and do not return until eight or nine o'clock.

2112. *Mr. Pim.*] You stated that you did not consider that the operation of that Act would lessen drunkenness, but I think you did state that the closing of the houses, say at eight or nine, would have a tendency to prevent drunkenness?—Yes.

2113. There is another object in the Bill, besides the prevention of drunkenness; that is, with respect to the persons engaged in the trade, both the owners of the houses and also the persons in their employment, either their paid assistants or their wives and daughters?—Yes.

2114. Part of that object is to secure to them a larger portion of Sunday as a day of rest; are you not of opinion that that is a very desirable thing?—Yes, very desirable; but as far as the assistants are concerned, there is a much larger amount of relief given them than people imagine; almost every publican would allow his assistants to go out an hour or two in the day.

2115. Every day, or on Sunday, do you mean?—Every day; I allow my assistants to go out for an hour or two every day when they wish to go.

2116. You object to the houses being closed earlier than 10 o'clock on Saturday night, do you not?—Yes, I object to the houses being closed earlier than 10 o'clock on Saturday night; and only then with the understanding that all licensed houses be closed.

2117. And how would that be with regard to grocers; grocers would not be closed?—It applies in this way: I am a grocer, and my shops adjoin, but they are distinct, and if I was compelled to close at seven or eight upon Saturday night, my class of customers that I have mentioned, tradespeople, and that rather large class who cannot get their wages until late, would go immediately to those persons called spirit grocers, a class of persons springing up in Cork, who hold a spirit license connected with their grocery, and on the same premises. They, although they are bound not

to sell, do sell, and are selling very freely in Cork, for consumption on the premises, and the result would be that traders such as I would lose much of our whisky traffic, and also part of our grocery custom.

2118. Would it be possible to prevent the spirit grocers from selling liquor after the prescribed hour for the closing of public-houses?—If you could prevent them there would be nothing to complain of.

2119. But you remarked that in that case you could not object to closing at nine on Saturday? That is a matter of opinion; but the difficulty preventing those people selling for consumption on the premises is not easily imagined; the only plan would be to license them differently: allow them to sell to be drunk off the premises, and to supervise the place.

2120. Suppose every spirit grocer was obliged to close his establishment at the same hour that the public-houses were closed, would that be an advantage?—Yes; but it would be a hardship upon the grocers if you compel all spirit grocers to close at eight.

2121. But all grocers have not a spirit grocers' license?—Very many of them have; that is the reason why I contend that it would be a hardship upon the grocers; that the people could not get in their groceries. Ten o'clock would come pretty near the convenience of a great number of them, yet it would be a hardship still.

2122. Earl of Mayo.] Is the number of houses in Cork, that hold this grocers' or wholesale license, increasing?—Largely increasing.

2123. Is that in consequence of the increasing habits of the people as regards buying spirits, and taking them home to drink?—No, I think not. I do pretty largely in the housekeeping, and that way, with spirits, and it is just pretty much the same as it has been.

2124. But still there is more spirit sold in Cork to be consumed off the premises than there used to be, is there not?—I should say so. I should account for that by saying that there is a large increase in the consumption of porter and ales.

2125. Would that be sold very much by these wholesale houses?—I mean by public-houses; the consumption of ales and porter has increased in public-houses.

2126. Has the consumption of spirits proportionately decreased?—No, I should say not; in any case it has not.

2127. But people are consuming more both of porter and spirits than they used to do?—Yes, I think they are consuming more.

2128. From your knowledge and observation, do you think drunkenness has increased in consequence?—No, I should say the opposite. I think that drunkenness has decreased. My observations, from looking at the class of people who have been coming to my place for 10 years back, lead me to think that they are better conducted and less noisy, and that drunkenness is less amongst them.

2129. You consider that moderate indulgence in drink is increasing, and that drunkenness is not increasing?—Drunkenness is decreasing.

2130. Is there much irregularity amongst the wholesale houses?—No, there has been a great reformation in the style of the houses for the last 10 years. I was, I may mention, originally in the society that you have been talking about, and the rules were written by me; they were

very much abused at the time indeed. Even long before I had any intention of going into the trade I addressed a few letters to the trade, calling attention to the scenes of drunkenness and rascality that existed at that time, and that I had observed from time to time. That was the reason why I asked the members of the trade to get some society together to make the trade respectable, and to get some reformation carried out.

2131. And that has been very successful, has it not?—It has been very successful.

2132. Do those wholesale houses open on Sundays?—No.

2133. By wholesale houses I mean the spirit grocers?—Some few small houses do.

2134. It is exceptional?—Quite exceptional.

2135. Do you think if the hour for the sale of spirits by publicans in Cork was restricted on Sunday, it would be a great temptation to those spirit grocers to try and open their houses and push their trade?—I think it would.

2136. Do you think that would produce an evil effect?—It would produce a very unfair effect.

2137. But is not that description of drinking from the wholesale house, from the fact of its not being under the same supervision as the drinking in public-houses, open to very great objection?—It is.

2138. And that it would be contrary to good order if there was a great increase in the consumption of spirits in those wholesale houses?—It would; and those houses that you allude to in that Bill, refreshment houses, I think I observed, would be all turned into drinking houses. At the corner by my place in Cork there was a narrow place, and there were a few houses that had been doing something, I understand, quietly, and those people of course could set up a refreshment license if required, and of course they would get some bread and butter or biscuits, and call those refreshments; they would be the very lowest shebeen-houses.

2139. Then it would be a very great evil, looking to the good conduct and morals of the town, if that class of small eating-house became turned into any place for drinking?—Of course; no one would imagine the scenes of drinking that are carried on; there is no supervision in those houses; the authorities have not power to enter them, and it is very easy to understand the scenes that are carried on from seven or eight in the evening to six in the morning.

2140. Are you, therefore, of opinion that it is absolutely necessary, that wherever spirits are largely consumed there should be a very strict and rigid police supervision?—Very rigid police supervision.

2141. Mr. Murphy.] And in continuation of Lord Mayo's question, that the time for having public-houses open should be continuous, and not intermittent?—Not intermittent.

2142. You stated that one of your reasons for naming 10 o'clock on Saturday night as the earliest hour at which licensed vintners' houses should be closed was, that it would bring about a kind of average in time, a kind of average custom, which would induce people to come and do all their purchases before then?—Yes.

2143. You also stated that at that hour every house, no matter of what description, that sold liquors should also close?—Yes.

2144. Have you considered the possible convenience and the more than possible inconvenience of closing earlier than 10 with regard to

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that class of people who do not go to public-houses, but to refreshment rooms and cigar divans, and take their ale or their brandy-and-water on their way home, clerks and others; if the hour were restricted, for instance, to nine on Saturday instead of 10, is it your opinion that that would cause a great outcry?—Yes; but I would not take into account that class of people at all; I take the general public, and particularly the tradespeople and labourers; people outside of that class can afford to get it at home.

2145. And do you think, if the hour was limited or made earlier than 10, it would practically lead to the opening of shebeen-houses?—Yes, I do think so.

Mr. JOHN KEEGAN, called in; and Examined.

Mr.
J. Keegan.
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2150. Mr. *Murphy*.] You are Secretary to the United Trades Association of Dublin, are you not?—Yes, I am.

2151. Will you explain to the Committee the nature of the organisation of that society?—The United Trades Association is composed of the various trades of the city; the building trade is not included. Except one or two, its executive is composed of representatives from the different trades; they are represented in proportion to the constituency, and the organisation itself is established upon ordinary trade union principles; the protection of the rights of labour, the prevention of strikes, and the settlement of differences, by amicable arrangement and deputations, and so forth, to employers, when those disputes arise, and for the purpose also of promoting Irish manufactures, where we can give it as good and as cheap as it can be got elsewhere; these are the principal objects of the organisation.

2152. As secretary, you of course have had an opportunity of ascertaining what the general opinion of the trades may be upon this subject?—From what I have learned from speaking to numbers individually, there is a very strong feeling against the Bill on the part of the tradesmen of Dublin.

2153. What particular reasons do they assign for that objection?—In the first place the tradesmen feel that the system of closing public-houses will not be productive of sobriety. They feel that it is only the sober man and the well-conducted man that will suffer any inconvenience, and that the drunkard will suffer no inconvenience whatever; that he will run all personal risk to obtain drink whenever he requires it; and in order to illustrate that, I may remark that the only disgraceful exhibition of drunkenness presented in the city of Dublin is from eight in the morning on Sunday morning until two in the day, the very hours that the public-houses are closed; and this disgraceful exhibition arises from those drunken men who go to look for drink in low localities, at spirit grocers, beer shops, and other places like that; and I may also mention that on the Sunday a very large portion, in fact, I may say all the respectable tradesmen of the city, after leaving their various devotional places, go to the country, to the Phoenix Park, and to the neighbourhood of Rathmines, Donnybrook, Dollymount, Sandymount, and those places, to walk before dinner; and I know, of my own knowledge, that there is a number of those who go into public-houses at, or even before two o'clock, not for the purpose of drinking

2146. Major *Gavin*.] You stated that if this Bill was passed it would be prejudicial and injurious to your trade in general?—Yes; the hour of closing, as proposed by this Bill, would be: my case has reference simply to Saturday night.

2147. You have 110,000 people in Cork, have you not?—Yes.

2148. You are not of opinion that it would be for the benefit of the greater number if this Bill was carried into execution as it is?—I think it would be grossly oppressive to a very large class, and of no material benefit to the general public.

2149. You do not think it would be a benefit?—I do not think that it would be a benefit.

or getting drunk, but for the purpose of getting legitimate refreshment; they go in to get, say, a bottle of porter, glass of beer, and I fear that if the principle of closing and restriction was carried out, as is proposed by the Bill, they would suffer a great amount of inconvenience. They say that the Sunday is the only day that the working man has upon which to enjoy himself legitimately; and they feel very sore that that source of enjoyment should be taken away.

2154. You have mentioned that the most objectionable and disgraceful instances of drunkenness have taken place at the very hour at which the present law prohibits the sale of drink on Sunday?—Yes.

2155. Is that from your own personal observation?—Yes, that is from my own personal observation; on every Sunday in the year I see it in certain localities.

2156. The police, I take it for granted, are quite aware of those localities?—Yes.

2157. And I presume the authorities do all they can to prevent the vending of liquors at those prohibited hours?—Yes; I am aware that they do, and I have seen the police placed on special duty over certain houses, and I have seen actually people coming out of those houses, and I have known, from the outside appearance, parties coming out now and then, that there was a business carried on inside, although the police might be within a few perches of the house. This class of people are up to every kind of trick to carry on their illicit trade.

2158. From the illustration you have given, I take it for granted that you must be of opinion that to men who will have drink, the closing of the public-houses has not the effect of preventing them from getting it?—I have said already that the closing of the public-houses on Sunday will be no inconvenience whatever to the drunkard.

2159. You are aware that the object of this Bill is to allow liquors to be sold at certain hours on Sunday, but not to be consumed on the premises where they are sold; do you think that that could be carried into practical operation?—I believe it would have a very demoralising effect, and I have heard the working men of Dublin speak very strongly upon that point. It is to be borne in mind that the tradespeople and labouring classes are very badly accommodated as regards dwellings; they are generally confined to one room, and we say that if drink was to be introduced into the family circle it would be productive of great social evils; and I have heard men who have worked in Glasgow, particularly

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that tramp, describe the awful scenes that take place in the city of Glasgow from that very circumstance, and I am fearful that such evils could be produced in Dublin by this system, promoting drinking at home; I have heard that rebuked more strongly than any other thing which is suggested by the Bill.

2160. And this very class of people, whom the Bill professes to serve, are themselves afraid of—Yes, they are afraid of it. I have heard of men taking exceptions to the system of class legislation proposed by the Bill. I have heard of men, and sober men, who go into a public-house, not for the purpose of drinking, but for the purpose of social intercourse, say that it is not fair to deprive them of that social intercourse while public-houses and club-houses are left open for the very same purpose for another class of society. My opinion is, that it is not right to create a strong feeling on the part of the intelligent portion of the working classes, that there is class legislation.

2161. From your knowledge of the working classes in Dublin, and from the peculiar knowledge you must have, I would ask you one general question, are the working classes, as a rule, drunkards?—I will speak from my own experience of many years. I could speak for more than that, but I will confine myself to that, from the time that I became an apprentice. At that time it was the common practice the Monday morning in the workshop when the men came in, if they did not keep out for the first quarter, to suggest the means of getting what is called a “cure”; now such practice exists, and as a general rule the working classes are particularly sober, and at that time the public-houses were closed at nine o'clock on the Sunday night. In order to follow up that opinion more strongly, this has just occurred to me. I recollect the charge of Mr. Justice O’Hagan to the grand jury of Dublin at the opening of the commission on the 20th of June last, and he said this in addressing the grand jury of the city: “I have to state to you that our duty will be of the slightest character and discharged in the briefest time, for I am extremely happy indeed to be able to congratulate you upon this fact, that, so far as ordinary crime is concerned, there is almost nothing on the face of the calendar. It is to me a perfect wonder that, sitting at a commission of oyer and terminer in a metropolis such as ours, so few cases are to come before you on this particular occasion; no case of violence, and I may say only a few cases of fraud. I doubt if there be a community in the world where such a gratifying spectacle could be exhibited as is exhibited here to-day. With reference to the county of Dublin, so far as ordinary crime is concerned, I do not observe any single case in which it becomes or behoves me to address you specially or more particularly. I think that is a very strong opinion in favour of the decrease of drunkenness, because, unfortunately, drunkenness in Ireland is almost the root of every crime that the people commit.”

2162. From your own knowledge, are you able to state it as your opinion that the great majority of the working classes in Dublin are not drunkards?—The great majority of the working classes are not drunkards.

2163. That being the case, and presuming that the provisions of this Bill being carried into law would produce great inconvenience, and that would not affect the majority of those who are not drunkards, what effect would be produced by 0.55.

passing it at all?—The effect of it would be the production of a greater amount of secret drinking than at present exists. On Saturday night, the moment the public-houses are closed, at half-past 11, there is a class of low spirit grocers who commence then to do business. I have seen them repeatedly standing at their doors about the neighbourhood of Stephen-street and Golden-lane, and low neighbourhoods like that; they do not do business until that hour, and I believe, if this restrictive Bill was carried out, they would reap a very rich harvest.

2164. I would only ask whether, if any restrictions with reference to hours were passed by any law, those restrictions should extend to all classes of houses?—Yes, to all classes of houses, and I may also say that I have heard it stated that it is the general opinion amongst the working classes, that the privileges given in this Bill in respect to eating-houses would be productive of fearful consequences; that drunkards would go in and buy a biscuit, and take a glass of whisky along with it.

2165. *Chairman.*] But, then, I suppose, you will agree that if spirit grocers and all traders in liquor were closed at the same hour, and in the same way as public-houses were closed, the evil you suggest, as arising from spirit grocers carrying on their trade, would be stopped?—You misunderstood my answer to Mr. Murphy’s question. This that I have been speaking of occurs at the time when the spirit grocers are apparently closed, but the people have been let in by a side door; it is the illicit business that I am particularly alluding to.

2166. You consider that the present closing, say, from Saturday night to two on Sunday, leads to a great deal of illicit drinking?—It does.

2167. Do you think it would be better to have the houses open during those hours?—No, I do not, and I will tell you why; I do not mean to say that this illicit drinking continues from 11 to two the next day, but it continues on Saturday night in certain low localities from half-past 11 to, perhaps, a little after 12; and then it commences on the Sunday morning from about eight, or the time that that class of people rise, and continues until two in the day.

2168. You stated that the working classes expressed great fear of the bad results that would arise from bringing the drink into their families, if they were not allowed to consume it at the public-houses; you said that the same effects would follow in Dublin as at Glasgow?—Yes.

2169. We are speaking of the large mass of the working class who are sober respectable men?—Yes.

2170. Why do you think that their having a glass of beer or a moderate drink would lead to this fearful demoralization that you anticipate?—I do not mean to say that it would lead to that amongst the sober portion of the community, but what I mean to say is this, that as far as drunkenness is concerned, it is at present only confined to the head of the family; but that if a man introduced the drink into his family by his bad example, it would be productive of evil consequences to his children, and to his wife, he having only one apartment, and not only that, but his associates would go with him, and the evil would be multiplied.

2171. But the evil would be confined to the small drunkard class, and would not arise in the respectable class?—No doubt.

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2172. Does not that evil sometimes arise from the wife going to look for the husband at the public-house?—No doubt, there are sure to be drunken women, but they are very few.

2173. Do you know at all the difference in the number of arrests between women and men?—I do not.

2174. Would you be surprised to hear that the proportion of women was very large?—I would not be surprised, but there certainly is a distinction to be made between the classes of women. I do not think that there is a large class of drunken married women. I think that when you allude to a large number of arrests being made amongst females, that does not include the married portion of the females, but a class of another low order, viz., the woman of the town.

2175. You mentioned that the working classes would feel it a great injustice to be deprived of the opportunity of social intercourse in public-houses?—I believe they would.

2176. You do not think that they would bring their families there for the social intercourse, do you?—They would not think of such a thing.

2177. Is not the best sort of social intercourse that a man can have that with his family?—A man can enjoy himself with his family, but he likes to vary his enjoyment; he cannot enter into the same conversation with his family that he can with his fellows over a glass of punch.

2178. You said that confirmed drunkards would get drunk in spite of any legislation, and that it was only the sober class who would be inconvenienced; do you not think that the distinction which has been drawn is a sound one, that there are, first, determined drunkards who will get drunk under any inconvenience; next, determined sober men, who will not get drunk under any circumstances; and, thirdly, a large class, like us Irishmen, who will not get drunk unless we are greatly tempted?—No doubt.

2179. Do you not consider that it ought to be taken into account that the large class of men who may give way to excess, if drink is brought home to them, is the largest class?—It is the largest class; but at the same time there ought to be taken into account the irritation that would be produced by depriving a man of what he believes he has a legitimate right to.

2180. But you would, therefore, qualify your first argument that there was only the drunkard and the sober man to be considered, the largest class being the intermediate class?—I must admit that.

2181. How many trades are there in your association?—About 30.

2182. And how many members are there altogether?—That would include somewhere about 15,000 or 16,000 of the population.

2183. You mean that there are about 15,000 or 16,000 subscribing members in your association?—I will explain that the association is composed of representatives, but the constituency of the association comprises that class.

2184. But do those constituents pay anything or enter into any arrangement in order to become members?—They pay a subscription of a halfpenny a week per member; there is a proportion struck of the number of men employed all the year round, so we cannot always tell their exact number.

2185. Your central association represents the trade association, comprising, as you think, about 16,000 tradespeople?—Yes.

2186. A very large proportion of those are Dublin tradespeople?—They are.

2187. As far as the opinion of the whole body of tradesmen goes, your central organization has not expressed any opinion?—No; the opinion I have expressed now is what I have heard freely discussed privately among the members.

2188. This is what I wanted to make clear; you are not, so to speak, giving evidence officially, but as a person largely connected with individual tradespeople?—Yes, I may mention that we have this general committee of the united trades who meet weekly, and on last Monday week we had a conversation about what was suggested by some of the witnesses as to closing on Saturday night, and the general feeling was that such a thing would not be suggested by the committee, that it was not seriously entertained. They said, in fact, that it would be productive of such serious inconvenience that they did not believe that those parties who suggested it were really sincere.

2189. That was the opinion of the members of your committee, was it?—Yes, but I may mention what was said then with reference to the serious inconvenience that would be produced; it was the unanimous feeling that the early closing of public-houses on any other night of the week, would be less inconvenient than on Saturday night, and for this reason, that a large portion of the working classes (two trades were mentioned, tailors and shoemakers, numbering together about 6,000), and others which were mentioned, who are what is called out working tradesmen, generally bring home their work on Saturday night at seven, and their average time of payment is about nine, and it was stated that they are sometimes paid two or three together with a large note, which they have to go to a public-house to get changed; there they ask for change, and order some drink, in order to get accommodated. And there is a large class of people depending upon them for payment, such as female sewers and so on; and if the public-houses were closed earlier than at present, it would be productive of serious pecuniary losses, and the people would have to buy the liquor and groceries which they required at small shops, 30 per cent. dearer in price, and 50 per cent. worse in quality. Moreover, I may also state that the marketing hours amongst the working classes, on Saturday night in Dublin, are from 8 to 11 o'clock.

Tuesday, 5th May 1868.

MEMBERS PRESENT:

Mr. Dawson.
Major Gavin.
Lord Claud Hamilton.
Mr. Leader.
Mr. Monsell.
Mr. Murphy.

Mr. O'Neill.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.
Mr. Stacpoole.

MYLES WILLIAM O'REILLY, Esq., IN THE CHAIR.

The Rev. EDWARD (Canon) McCABE, called in; and Examined.

2190. *Chairman.*] You are the Parish Priest of Kingstown, are you not?—I am.

2191. How long have you been parish priest of Kingstown?—Three years now.

2192. And before that you were parish priest of what place?—I was for about nine years parish priest of St. Nicholas's, Francis-street, Dublin.

2193. That is a very large parish in the centre of the manufacturing and working part of the town, is it not?—It is.

2194. May I ask what other parishes in Dublin you have been connected with?—I was nearly three years in Marlborough-street, and nearly 15 years before that I was a curate in Clontarf; Clontarf is in the suburbs of Dublin, but there is a very large agricultural country attached to it.

2195. But St. Nicholas's is one of the largest parishes in Dublin, containing one of the largest working populations, is it not?—I suppose that I had 32,000 or 33,000 Roman Catholics belonging to my own jurisdiction.

2196. And most of those are poor people; it is not a parish in which there are many rich people, I believe?—Except the shopkeepers; and in St. Stephen's Green, and a few other streets, there are some of the better class; but the population of that class over whom we could claim spiritual jurisdiction in the parish is very small, so that the great majority of the parish would be of the working class.

2197. Would you say that drunkenness has decreased in your recollection in the last 20 years?—Yes; I should say so.

2198. To what cause do you attribute that decrease?—I would attribute it to the agency of education amongst the people; they are better instructed, and the schools have been attended by them very generally for the last 20 years. I would attribute it, to a great extent, to their being better instructed, both in religion and in secular science.

2199. Are not the working classes also better off than they used to be?—Yes, and I think that drunkenness amongst them will decrease as their comforts increase; in proportion as they become comfortable, we shall have less trouble in the shape of drunkenness with them.

2200. Is there still to your knowledge, however, a great amount of drunkenness on Saturdays and Sundays amongst the working classes in the

city of Dublin?—On Sundays a great deal. While I was in Francis-street, the amount of drunkenness was very remarkable indeed. On Sundays I attributed it a great deal to their getting drunk on Saturday nights, by which they had a sort of appetite created for it on Sundays, and the consequence was that a great deal of drunkenness came under my observation.

2201. On Sunday evenings?—On Sunday evenings.

2202. Were there anything like groups of drunken men to be seen in any of the streets about Francis-street on the Saturday and Sunday evenings?—I could scarcely say groups, but I could see a good many of them. If you could judge of those who were invisible from those who were visible, the number would be very great.

2203. Would the drunken people be about in such numbers as to produce inconvenience to respectable people at seven o'clock in the evening?—Yes. At Kingstown we have service at seven o'clock in the evening, and it has come to my own knowledge that a great number of respectable families have given up the idea of attending the evening service, in consequence of the number of drunken men about the corners of the streets.

2204. Have you considered the question of either totally prohibiting, or increasing the restrictions on the sale of intoxicating drinks on Sunday?—Latterly I have been considering the matter; I think that from my experience of Dublin and Kingstown, I would not recommend total closing.

2205. To what extent would you recommend increased restriction?—I would suggest that the houses should be left open sufficiently long to afford poor people an opportunity of getting the refreshment which they might naturally be expected to look for on Sundays. For instance, at Kingstown, where I am at present, a very large number of the working classes come out from the necessity of getting fresh air after the hard work of the week, and I think that it would be a hardship to deprive them of all the means of getting reasonable refreshment on Sundays. If a man takes a walk for four or five miles out of Dublin, say to Kingstown, I think he would consider it very hard that he should have no opportunity of getting any refreshments until his return to Dublin.

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2206. What hours would you suggest as the hours for opening and closing the public-houses?—I would strongly suggest keeping them closed until three o'clock.

2207. They are now closed until two o'clock, are they not?—Yes, they are; and the reason why I would suggest three o'clock is, that our service is over about two; from half-past one to a quarter to two, and the men who have been attending service are in a great many cases tempted to go in and drink, with the terrible risk that, having once commenced, they will continue it; and I think if public-houses were kept closed until three, the congregations would have fully dispersed; they would have gone away from the immediate neighbourhood where the temptation would be strong upon them, and they might not drink at all that day; whereas, if the public-houses were open at that time, when they were passing by, through a feeling of good fellowship, they would press one another to go in and get some drink; and the man who receives the treat in the first instance feels himself in some way or other bound through the feeling of fellowship to reciprocate the compliment. There are a great many men who go on in that way without the smallest idea of getting drunk, but who get drunk nevertheless, whereas if those men had gone home to their families they would have had a fair chance of spending the day in sobriety, so that I would consider it a very great blessing if three o'clock were substituted for two as the hour of opening.

2208. What hour would you propose as a proper one for the public-houses to close at?—I would suggest a different time for different seasons of the year. I think that it would be a very great blessing if the public-houses were closed, as far as possible, in full daylight, because when a man gets drunk at night he staggers home, and is protected by the darkness of the night, and very few people see him and notice him, but if he was obliged to go out in the glare of the day, when the people for whom he had a respect were likely to see him, it would be a very great check upon him. Now I may say that for a great many years temperance, though violated, is held in very great esteem by the people. It is some years since I commenced my career first, and then men were very little ashamed of being seen drunk; in fact, they sometimes feigned a greater degree of drunkenness than was warranted by the fact, but I think no man would do that now; he would feel that he was degrading himself, and my opinion is, that if he were obliged to face the public when he was drunk he would scarcely try it a second time.

2209. What hour for closing would you suggest in winter?—Five o'clock.

2210. And in summer what hour would you suggest?—In summer they might be open from three to seven o'clock. These hours strike me as desirable to meet the inconvenience I spoke of a while ago; it is only right that the poor man should have the opportunity of getting refreshment in coming to the country; but I think that any man coming to Kingstown, for example, at two o'clock, would have ample time to get anything he might require and to turn his head towards home, and get there by seven or eight o'clock. There is a neighbouring parish to mine, which I cannot speak of from my own experience, but if I may be allowed to mention the experience that I glean from others, I would

mention a fact respecting it. Sandymount which is very near Dublin, is very much frequented on Sundays; a great number go out there, and I have been told by the priest of that locality that the scene is perfectly disgraceful; that people loiter about the strand and drink to excess, and remain there until the houses are closed, which I believe is at 11 o'clock, and they consequently go home in a manner that is not at all calculated to increase their respectability in the eyes of any person. If those houses were left open only until seven o'clock in the summer, these people could get quite enough for all the purposes of legitimate refreshment, and they would go out in the broad daylight, and I think that public opinion is quite strong enough to put down drunkenness if it could be brought to play upon it in this manner.

2211. With regard to not opening until three o'clock, are you of opinion that no inconvenience would be felt by the great mass of the people through losing that additional hour; that they do not want drink before three o'clock?—No; as a rule our people never drink at their meals; I mean malt drinks; they may drink water. In this country they drink ale and beer and things of that sort, at their meals; but in our country they do not as a rule; there may be exceptions, but as a rule they never think of it; anything for the purpose of refreshment they would have ample facility for getting between three and seven o'clock.

2212. Even in summer you consider that seven o'clock would be late enough to afford all reasonable facilities for getting what they wanted?—I think so; they could get all they wanted in the country, and could then go towards home like reasonable beings, or if they wanted to enjoy the remainder of the evening in the country they would be able to do so.

2213. Do you think that that change in the hour would have a very considerable effect in diminishing drunkenness in Dublin, and in the neighbourhood?—I think it would, even if it had no other effect than that the man having got drunk would have to go out in the open day; I think that would be a penalty which he would not like to incur a second time.

2214. Am I right in saying that it is your opinion that the greatest amount of drunkenness takes place late in the evening, both on Saturday and Sunday?—I should say so. Our people, as far as I know them, and I know them tolerably well, drink, not for the sake of drinking; they have got the character of being very fond of drink; but I think their character is misunderstood; they are exceedingly sociable, and I think that I could scarcely venture to say that I have met a dozen men in my life who got drunk for the pleasure of drinking; they go into the public-house without any intention of going to excess; there they are joined perhaps by a friend and are naturally so hospitable that they will not either eat or drink alone, and they are impelled to ask their friend to drink with them; that friend being hospitable himself must return the compliment, and then three or four coming in the circle is enlarged; and every man must be as good as his neighbour, and the consequence is, perhaps, that they all get drunk, not through love of drink but through love of society.

2215. It has been stated by some witnesses that any legislation restricting the hours for the sale of drinks, would be only effective as against the

the sober man for whom it is not required, because the confirmed drunkard will get drunk in some way or other, either by getting it at the time, or by laying it up beforehand; would you agree with me that the portion of the people you are acquainted with should be divided into three classes; first, the confirmed class of drunkards; secondly, the very sober man, whom no temptation will induce to exceed; and the third class persons who are not intentional drunkards, but who are weak under temptation, and who would be glad, in themselves, to have the temptation of the public houses removed, for at least a portion of the time?—I think you may adopt that division; it is the only division that could be made; although the confirmed drunkard is determined on getting drunk, and perhaps may succeed, I think it is a mercy to him to throw all obstacles you can in his way. In the next place, I would not agree with you in saying that the confirmedly sober man is free from all danger, because I do not think he is. He may be a very sober man from habit, but circumstances may expose even him to the danger of committing excess. He may be going along the road, and may be asked by his friend to go into a public-house, and he may be detained there, although it may be repugnant to all his principles, and before he leaves he may be guilty possibly of his first crime of intemperance. There is a very large class of those who are not drunkards, yet who are not yet perfectly established in the habits of temperance, and who are quite accessible to the influence of temptation, and it would be very desirable to have some legislation in respect of them. Perhaps I might particularly allude to the class of young men who are passing from the period of boyhood to that of manhood; if those young people contract intemperate habits at that period of life, there is very great danger that they will be continued.

2216. Is it within your knowledge that there is a very considerable amount of drinking on the Sunday morning in the city of Dublin during the prohibited hours?—I am told that there is a great deal.

2217. You have reason to know it, have you not?—I have.

2218. Is it your opinion that that arises from the illicit sale of drink on that morning?—Yes.

2219. Do you know at all the class of houses in which that sale is carried on?—I was speaking about that a day or two ago (the day after I got the summons to attend the Committee) to a very intelligent priest in a very populous parish, a parish very similar to the one I was in myself in Francis-street, and he did not hesitate to say that even the most respectable men in the trade were beginning to sell on Sundays before two o'clock. Of course, he spoke only with reference to his own locality. He said that he was quite of opinion, from the facts that came under his observation, that probably there was more spirits and drink sold from 11 to 2 o'clock on Sundays than during the remainder of the day. An attempt was made, to my own knowledge, in one of the very leading streets in Dublin, to induce all the principal members of the trade to close their shops on Sundays altogether.

2220. That was Thomas-street, was it not?—Yes, that was Thomas-street. The attempt was successful, and so it continued for about a month. The gentleman who told me said that all the

members of the trade to whom he spoke were glad to embrace the opportunity, and they all agreed to close, and they all did close. After a while one man opened his shop on Sundays, and then the next man, and the man opposite or next to him who opened his house thought it very unreasonable that he should be called upon to keep his promise while his neighbour broke it. The result was that after a week or two it became the rule to open again.

2221. It has been stated that the working classes, and the poorer classes in Ireland, particularly in Dublin, would feel any further restriction upon the sale of intoxicating drinks upon that day to be class legislation, and would be very indignant at it; how far would that be your opinion?—I doubt very seriously if they would consider it a grievance; there might at first be a little grumbling, but I am quite sure that they are quite intelligent enough, and quite religious enough to enter into the spirit of any legislation which was devised for their own good; but to this fact I think I might bear testimony, that whatever the feeling of the male portion of the population might be on that matter, I am certain that the female portion of it would very fervently bless the Legislature which passed the law.

2222. I suppose they would have a good deal of influence on the other sex, in inducing them not to be indignant at it?—After a while, I think the whole thing would subside. I go all along on the supposition that a reasonable time is given for the refreshments which those people would require. I would not at all advocate total closing, because I think it would be unfair to the poor.

2223. With regard to the Saturday evening, are you of opinion that a great deal of mischief is done by the late hour to which public-houses are kept open on Saturday evening?—Indeed, I am very strongly of that opinion. I think that the misery of the ensuing week is very much to be attributed to it. Men, with their week's money go into public-houses to get refreshment, and are tempted to spend their money. Very often they are tempted and made dupes by designing men, and they very often go home on Saturday night with a very considerable deduction from their week's wages. I am quite certain of the fact.

2224. What hour do you think would be a reasonable hour to close the public-houses on Saturday evening?—I think they might be closed at nine o'clock. The workmen generally break up and discontinue their work at six o'clock, and I believe a great many of the employers pay their men early in the day. I knew myself several who made it a point to pay their men before breakfast, on the principle that they then had a chance of going home to their breakfasts, to their wives and families, and if the wives and families got possession of the wages they had a chance of being pretty safe.

2225. Then, I suppose, you will agree that if the public-houses were closed on Saturday evening at nine o'clock, all other houses in which drink is sold should be also closed?—Certainly, otherwise it would be perfectly useless to legislate; it would be simply depriving the respectable publican of the means of carrying on his trade, and giving it to a class of men in whose hands it would be exceedingly unsafely lodged.

2226. What class of men do you mean with whom it would be unsafely lodged?—Those people

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who keep beer-houses, and houses of that sort; these houses are decidedly and exceedingly a great curse to the country. I am quite of opinion that even now one beer-house does more mischief than any three public-houses we have.

2227. You are aware, of course, that that would shut up all grocers' shops also at nine o'clock who have a license for selling drink of any sort?—I would close them all.

2228. Do you think that would be any inconvenience to the class who purchase their provisions at those houses on Saturday night?—It might be an inconvenience at first, but I think where there is a question of great material good this inconvenience might be very fairly risked. After a very short time, they would all buy their provisions and make any arrangements they wanted to make earlier. I would certainly shut up all those places where spirits is sold. What you call purely grocers' shops for the sale of teas, and things of that sort; and where the drinking shop was totally distinct from the department for the sale of tea and similar commodities, I think might be treated in another way, and be exempt from the action of the present Bill; but I should be very glad to see all places, no matter under what name they went, where drink was sold closed on Saturday night at that hour.

2229. You must be pretty well acquainted with the habits of the working classes in the parish of Francis-street; can you state what portion, or what classes of them, are not paid their wages until late on Saturday night?—I think all the respectable employers pay their men early.

2230. It has been stated that a great proportion of the shopkeepers in Dublin do not pay their workmen until eight or nine o'clock on Saturday night; is that the case to your knowledge?—I really cannot speak positively from experience. I have heard complaints frequently of some classes of employers paying their men in public-houses on Saturday nights; that I consider a most objectionable thing; it simply throws a poor man into the proximate danger of falling into intemperance before he goes home: he may resist the temptation, and he may not get drunk in the house that he is paid in, but he may get inflamed with drink and go to a less respectable public-house, spend a large portion of his week's earnings, and lose his reason at the same time. I am quite of opinion that the respectable members of the trade do all they can to discountenance intemperance. In all professions there are various grades, but there are some of them whom I am quite sure would be as careful to prevent drunkenness occurring in their own houses as they would be to prevent members of their own families getting drunk; if there were none but that class of members in the trade I think legislation would not be necessary; but when a man gets drunk on Saturday night in a respectable house he often goes to another house which does not rank on the same level and simply gets drunk.

2231. You do not think that it would be a hardship on the people who do not get their wages paid until late on Saturday evening, if the houses were not kept open to enable them to get some refreshment?—I think it would be a very great blessing for them to go home without getting any drink. My advice has always been, if you want some drink, get it into your own house, and have a friend to drink it with you if you so

wish; it is very likely the man's wife would take care of him when he got home.

2232. A previous witness stated that the only convenient place that the labouring man in Dublin has in which to arrange with his wife, when he gets his wages on Saturday night, what clothes he will purchase and what other things he will require, is the public-house; do you agree with that?—I am not aware of that fact, and should be surprised at it. I should be more surprised if the wife was a consenting party to it; she might go there from compulsion, knowing that if she did not go there she would get no money at all; but if the fact be such, I think the sooner the practice be put a stop to the better. I know this as a positive fact, as regards the poor women, for when they are driven to extremes we are generally their last resource. I am continually told by those poor creatures that they are obliged to go after their husbands and through the streets to try and get some money from them on Saturday nights; and there is a case in my mind at this moment in which I know that a very decent young woman got herself into a habit of great intemperance from that very cause; the husband not going home after getting his wages, she, in order that she might have a chance of getting a portion of them, would follow him to the public-house, and the husband, playing the part of a good general, would endeavour to reconcile her to his being there, and in order to do so he would get more drink for the purpose of making her join him. The person to whom I refer was only a type of a class; she only went there of necessity; she had no chance of getting any money from her husband otherwise; and in order to buy her off her husband would treat her to drink, and that led to her contracting very intemperate habits; so that if it be the fact that they make those public-houses places of appointment in which to meet their families and make their arrangements for the disposal of their wages, I can only say that it is a very unfortunate thing.

2233. You think it would be better for themselves if they were deprived of that opportunity of doing so after nine o'clock on Saturday night?—I do.

2234. Mr. Pim.] You are aware that considerable exertions have been made in Dublin to promote the earlier closing of shops on Saturday night, are you not?—I am.

2235. With some effect, chiefly in shops in which articles of clothing and requisites of that sort are sold, rather than with regard to shops in which eatables are sold?—That is so.

2236. If the public-houses were closed at nine o'clock, as you suggested, do you think that that would have a tendency to assist that object?—Yes, decidedly.

2237. And do you think that the movement for the early closing of houses of business on Saturday is decidedly useful?—Decidedly so.

2238. We have been informed that there are many employers who do not pay their work-people until late on Saturday night?—That is so.

2239. Are you of opinion that the closing of public-houses at, say nine o'clock, would have the effect of inducing the earlier payment of wages?—I mentioned a short time ago that, in some instances, I knew of some of the smaller employers paying their men in public-houses; the arrangement we contemplate of closing at nine o'clock

clock would compel them to pay their men earlier, for they would be aware that the public-houses would not be open at a late hour. Those who pay late are not a very large class. But with regard to the others, I could not say exactly how it would bear upon them. I am quite sure of this, that as it is for the interest of the employer that a good feeling should exist between himself and his workmen, if the workmen remonstrated and said that the late payments were a great inconvenience to them, after a while the payments would be made earlier.

2240. I have not gathered from you whether, in your opinion, there are a large portion of the working classes who would be in favour of the restrictions proposed by this Bill?—Habitual drunkards I am sure would be against the restrictions naturally; they would prefer the houses being kept open all night; but as far as I can judge from the opinions of those with whom I have conversed, I can say that I never heard that the poor men have the least objection to the restriction; I cannot say positively that they would be in favour of it, for I never heard an opinion upon the matter in that way, but I can give a negative opinion that I never heard any objection to it; I am quite certain, as I said before, that the female members of families would go in heart and soul for it; they would close them altogether if they could.

2241. You mentioned that there were crowds of persons round the public-houses in Kingstown, who were an annoyance to respectable females attending evening service on the Sunday; I suppose the necessity of attending to those public-houses prevents the families of the owners of those public-houses, and so on, from attending evening service almost completely?—The attendants of course could not do so; with us we do not attach the same importance to evening service as we do to morning service; all our people are bound under the strictest obligation of conscience to go to mass, but the evening service is a matter of pure devotion.

2242. Those who go to evening service have been, almost all of them, to the morning service?—As a matter of course I should say so; if a man was so lost to the obligation of his conscience as not to attend mass, he would never think of going to vespers.

2243. Do you not think that the hours of work of those persons who are obliged to attend to the public-houses, are very severe?—I think so.

2244. Have you formed any opinion as to whether the severity of the hours they are obliged to work, have seriously injurious effects upon them physically?—I have no hesitation in saying that it must have a very serious effect upon them; they are young men, perhaps young men coming in from the country, and if a boy is taken from school and employed from an early hour in the morning till a late hour at night, I think that would be very much calculated to break down his constitution; it is true that they have on Sunday from the early part of the morning until two o'clock; but boys and young men after a hard week's work would naturally wish to remain in bed on Sunday a little longer than on any other morning in the week, as it is the only morning upon which they can remain in bed; and by the time a lad has had his breakfast and been to mass, his time for fresh air is so very small, that he gets none of it; if that boy goes to one of our masses, where he might be supposed to get

a sermon, he would be going home to his work almost at the very time when the house is open at present; so that I would say, practically speaking, he has no opportunity for open air exercise. Nominally he has until two o'clock on Sundays or three, but I think when you look at it in that way, you will see that he must have very little time for fresh air, if any at all.

2245. And you think that it is a very serious loss to him to be deprived of the weekly holiday?—I think so.

2246. You think it would require some very good reason to warrant their being employed?—I think so; and when the convenience of the public can be secured reasonably, I think a very good case should be made out before depriving him of that holiday.

2247. For the sake of allowing those who are young to have the benefit of the fresh air?—They are necessarily young in the beginning; I do not know exactly the number of public-houses in Dublin, or in Kingstown either, but I suppose on the average there may be probably three attendants to each; certainly I think there would be two in each of those houses, and I think that that would be below the average, so that upon the aggregate they would form a very considerable item in the population. Looking at it even from that point of view, I think that it would be a great blessing, and if they could be closed altogether, that would be the greatest blessing of all; but I should be afraid to enter into that, fearing that it would give rise to mischief in another way.

2248. Mr. *Monsell*.] Can you tell us whether there is much Sunday morning drinking in Dublin?—Yes, no doubt there is.

2249. Does that take place during the time in which the public houses are closed by law?—Yes, it does.

2250. How do you account for the fact that the authorities are unable to prevent that?—That is rather a dangerous question to ask me; I am sure that the authorities do their best; whether a more perfect means could not be adopted to increase the power of the authorities is a matter upon which I am not prepared to give an opinion.

2251. But if the authorities are not able to enforce the observance of the present law, do you think that any such law as that which is now contemplated to be introduced by this Bill would be really operative?—If this Bill became a law, and the authorities could not carry it out, I think it would be better to leave well enough alone; I am sure that means could be found.

2252. Mr. *Dawson*.] How is this drinking on Sunday morning provided for if the public houses are closed; is it drinking at home?—No; the public-houses are supposed to be closed, but are really in full, but disguised action.

2253. You mean to imply that the law is not carried out with regard to the closing of public-houses?—The law is not carried out with regard to the closing of public-houses.

2254. Are not those cases of infraction reported to the police?—I suppose so; I know nothing of the manner in which the police discharge their duties, but I suppose they are.

2255. You do not think that there is sufficient supervision at present?—There may be sufficient supervision, but certainly it is not effective.

2256. Mr. *Stacpoole*.] Could you suggest any means by which the authorities could carry out

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the regulations more fully?—I could not; anything that I could suggest would be so very crude that I think it would not be worth entertaining; what has struck me is, that I think before a house is licensed it should be reported upon by some competent person as being suitable for its purpose, because I know that in a great many of the cases some of the public-houses are so arranged that in case the police knock at the door, the proprietors have the means of allowing the people who are inside to pass out by the back door into another lane, so that by the time the police come in, there is no means of finding out that there has been a consumption on the premises.

2257. Are you not aware that the licensing magistrates at the quarter sessions always inquire whether a house is fit to be licensed before the license is granted to it?—I am not aware of that, but I suppose so. That there should be no such means of egress, I think, would be a very important element of their fitness, because if a house is so constructed that when the police are knocking at the door the people can pass out into the street, that house is not fit to receive a license in that state.

2258. Do you think that a house ought to be licensed unless it was properly built for the purposes of a public-house?—Certainly not, or unless it was properly reported upon by some competent person, so that if these people were in the public-house when the police came they should not be able to get out by a back way.

2259. That a public-house, in fact, should not have a back door?—I mean a back door leading into a public road. It is only fair to say that there is a class of houses in Dublin for whom this legislation is perfectly unnecessary, but there is another class for whom this legislation is most necessary, and with respect to which all the precautions that can be taken should be taken.

2260. Do you know whether the magistrates are in the habit of asking those questions that I have indicated?—No, I do not; it strikes me, if I might give an opinion with reference to beer houses, that so long as beer houses are left in their present condition, legislation is perfectly useless.

2261. You draw a distinction between beer houses and public-houses?—Yes, as I understand the law, the beer-house keeper gets his license from the Excise; no matter how often he is deprived of the license, he has simply to go to the Excise and pay his 1 £, and gets it again.

2262. You are of opinion that there should be some law that should prevent the Excise from using that power?—I think there should be a total change in the system of giving a license; I believe that after three convictions the keeper of a public-house is liable to have his license withdrawn from him, and that that would be to him a very serious matter; having probably paid a large sum on entering, but the beer-house keeper simply gets his license for 1 £, and merely has a cabin or a room, or whatever it may be, and he sells beer, and generally whisky; they do sell whisky, as a matter of fact; of course if they are caught selling whisky the penalty would be serious, but if they are brought before the magistrates for anything disorderly, and lose their license, they can go to the Excise and get their licenses renewed.

2263. You are of opinion that there should be

some arrangement by which they should not have the power of going to the Excise for renewal?—I should be exceedingly glad indeed if the beer-houses were discontinued. I have had a very large experience of them at Kingstown, and I think that they are the greatest curse that we have.

2264. Mr. Murphy.] From the evidence that you have given I gather that you appear to think that the hours during which public-houses should be open should not be merely restricted to selling of spirits, but that the parties should be allowed to refresh themselves in the house; that they should be allowed to consume what they bought on the premises?—That is my opinion.

2265. Consequently, if an Act was passed allowing the public-houses to sell spirits, but prohibiting them from consuming them on the premises, do you think it possible that such an Act could be worked?—I think it would be quite useless.

2266. Have you seen or read the proposed Bill which is under consideration?—I have not.

2267. I will just draw your attention to the first proviso. The Bill enacts that spirits, wine, and beer may be sold between the hours of 2 and 4 in the afternoon, and between 8 and 9 in the evening of Sunday, but that they shall not be consumed on the premises; do you think that that could be carried out?—It will be very difficult indeed to carry out that law, and if I might make a suggestion I would say, that instead of having two distinct openings I would have but one opening, and simply let the purchasers either carry the drink away, or consume it there if they please.

2268. Your decided opinion is simply this, that there should be no restriction upon the consumption on the premises, and that a continuous period should be allowed for opening instead of an intermittent period?—Quite so.

2269. Now allow me to draw your attention to another proviso in the Bill, which is in effect a clause allowing any party having an eating-house to sell as much spirits as he likes during the hours in which the eating house is open, if the party only comes in and buys a little something to eat?—I should think that would defeat the object of the Bill altogether. The poor people could get all they wanted to eat up to seven o'clock.

2270. Are you of opinion that the introduction of this clause would render the Bill totally inoperative?—I should say so; you would be so far destroying the trade of the respectable publican, and making those eating-house places where they could simply carry on their illicit trade.

2271. With reference to the prevention of abuses in public-houses, I think you gave it as your opinion, founded on two or three questions which you were asked, that proper supervision and respectable houses if they could be established, would be the best possible remedy for the abuses that do take place at present?—I think so.

2272. You have also stated, that in your opinion public-houses should not be opened until 3 o'clock in the Sunday afternoon?—Yes.

2273. I take it for granted that your opinion is grounded on the practice which prevails in your district, that Divine services are not concluded until half-past 2 or 3 o'clock?—No, it goes on the supposition that our mass is over about 2 o'clock, and then when the people come out of the church they are open to the temptation that I have mentioned.

2274. Supposing

2274. Supposing that in other districts of the country the services were over at 1, or before, would this reason that you have assigned for having public-houses opened at 3 o'clock in your district, where the services are over at 2, be equally applicable to having them open at 2 o'clock?—Unless you wish to encumber the Bill by subdividing the provisions of it, I think that by opening them all at 3 o'clock, you would form a good standard,

2275. But supposing that in the majority of the cases all over the country, 1 o'clock is the usual hour of closing, and not 2 o'clock, would that not form a good argument for opening the public-houses at 2 o'clock?—I think that in the country districts, I should have very little hesitation in closing the houses altogether.

2276. That is another branch of the question altogether, could you give me a specific answer to the question?—With reference to the question of not opening them till 3 o'clock. I may say that I was a curate in Clontarf parish, to which there was a very large country district attached, and I know that the countrymen after coming from mass on Sundays would loiter about the public-houses; the mass would be over about half-past 1 o'clock, or a quarter to 2, and I have seen them going in there and sometimes coming out perfectly drunk, whereas if the public-houses were closed for an hour they might pass then by, so that even in those cases where the morning devotions would be over at 1 o'clock I should see no necessity of anticipating it by an hour earlier.

2277. Are you aware as a matter of fact, though not from your own personal knowledge, taking the country districts throughout Ireland, whether the service is ever kept up until 2 o'clock as a rule?—As a rule it is not, but it very frequently occurs that the service is not over until half-past 1.

2278. In what districts would that be generally the case?—In a great many of the suburban districts.

2279. Round about Dublin?—Yes, round about Dublin; I cannot speak from personal knowledge of the country districts, except of those where I have been myself; and I know that where I was for 13 or 14 years, I never got any breakfast until 2 o'clock on the Sunday, so that I was getting my breakfast about the time that some of my congregation would be preparing to get drunk.

2280. Do you speak from personal experience and knowledge of the habits of the suburban districts of Dublin?—Yes.

2281. You assigned three o'clock as the hour of opening the public-houses, on account of the services not being over until about two; but assuming that the service was over at one in the majority of places in the country at one o'clock, would not two be the proper hour for opening, upon the same principle as you laid down in reference to three o'clock?—Quite so; the ground that I place that opinion upon is simply to give the people the opportunity of clearing out of the neighbourhood of the public-house.

2282. It is almost unnecessary to ask you this question, having given your opinion that consumption should be allowed at whatever hour the houses are to be opened on Sundays; but as a matter of opinion grounded upon the previous evidence, supposing that an Act was passed, not allowing spirits to be consumed on the premises where they are sold, would not that lead to a kind of illicit trade springing up, and a substitution of other

houses, for the purpose of tap-rooms?—I suppose that it would end in their purchasing spirits, and going next door to consume them. I think it would be far better to let them go into a house that was honestly recognised for the sale of drink, and have no contraband sale at all, because the moment a man is prohibited from doing that which he thinks he has a right to do, he feels almost impelled to violate the law, and his doing so puts him into the position of a smuggler, which is calculated to destroy his moral character.

2283. You stated that you thought that seven o'clock in the evening in summer, and five o'clock in the winter, would be in your judgment a proper hour at which to close the public-houses?—I am speaking from my own knowledge of Dublin and its immediate vicinity; I have had no experience of other parts of the kingdom.

2284. Your reason for that was grounded upon this, that they ought to be closed in day light, because a great many people would get drunk in the dark who would not like to be seen staggering home in the day light. Supposing you took day light as the rule, instead of fixing seven in the summer, and five in the winter, would that meet your view?—The only reason why I would suggest opening them at all would be the reason of necessity, that is to say, if I thought it could be done safely, I would suggest the total closing on Sunday: why I suggest seven o'clock as the hour for closing is, that that will make ample provision for the persons who would require refreshment in that way; an additional reason would be that they would not like to come out in the day and be seen drunk.

2285. You suggested the hour of seven as a kind of approximate hour?—Yes, exactly; and if they wished to enjoy a walk they could go and take it, and get home quietly at a reasonable hour, getting the refreshment they wanted.

2286. Have you considered the question of people going out from the city of Dublin, such as tradesmen, and their wives and children, for a walk after their dinner on a fine summer evening, and coming back to Dublin about half-past eight or nine by day light; do you think it would be a hardship upon such persons if, after coming back to Dublin from a long walk, they found the public-houses closed, and they themselves unable to get any refreshment?—I think it is not the habit of the tradespeople to take their wives and families to the public-house.

2287. But supposing he should want to go there himself?—He would get his refreshment on the road, and I think if he went home to his wife and family he would be much safer than he would be if he went to the public-house. The reason why I suggest this hour is, that if a man went into the country he could get what he wanted there. My experience tells me that those who become drunkards are not the people who make a meal of it. It is the men who go again and again, two, three, or four times in the day, and ultimately get a passion for drinking.

2288. Continuous tipplers?—Yes; so that if, for instance, a man was out in my neighbourhood, having walked there, he could get at once all that he would naturally want; and I think that if a man went to bed without getting anything after seven o'clock, he could not say that he was very much persecuted.

2289. But the ordinary class of people, such as labourers and members of the working class, as a rule in Ireland, do not drink with their meals?—

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Rev. Canon McCabe. They do not drink with their meals, so far as my knowledge goes.

5 May 1868. 2290. Supposing that it was the case that a large number of employers, small employers particularly, did not pay their wages until after nine o'clock on Saturday night, do you think that it would be a hardship to close the public-houses sooner than that?—I do not see any practical inconvenience that would arise from it.

2291. The markets, as I believe you are aware, remain open until 11 or 12 on Saturday night?—I am aware of that, and I take it for granted that your Bill does not interfere with that which may be necessary for a family to lay by provision for the week, but I think if a man is merely going for drink after nine o'clock, it would serve him neither in body nor soul.

2292. Are you aware that people go to the markets after nine or ten o'clock on the Saturday nights?—I am aware of that.

2293. Why is it that they go so late to market?—It may be that they are not paid in time enough to go their earlier, or, as is frequently the case, that the wife has been hunting her husband about the town, and has succeeded in finding him out about 10 o'clock, and got out of him enough to keep body and soul together for the coming week.

2294. Would you say that that was a general case?—I would not say that that was a general case, but it is an instance of what occurs.

2295. You would not lay that down as a rule, with regard to the people who go so late to the market as 10 or 11 o'clock at night?—No. Whether their going so late to the market is the result of their not being paid earlier or not I do not know.

2296. What do you consider is the cause of their going to the market so late as that?—I do not know. The men generally go to the barbers' shops, in order to get ready for the next day, and they make a little toilet in that way, which occupies time.

2297. With reference to their going to barbers' shops, have you ever heard that barbers' shops are in active request on Sunday mornings?—As barbers' shops?

2298. Yes?—I have heard that they are.

2299. Did it ever suggest itself to your mind, that they were in use for any other purpose on Sunday mornings?—I could not say that I had not heard so.

2300. Do you not think that it is a very natural thing that persons who wished to resort to an illicit traffic would go to such a place for such a purpose?—Very likely; a drunkard will stop at nothing to get drink.

2301. I suppose you have no notion of the number of the labouring classes in Dublin?—I could not give you any answer of that sort except from an idea of the number of people that I have had to do with myself in Francis-street, which would be 32,000 or 33,000.

2302. Those were the working classes?—They were generally.

2303. Have you included amongst those, tradespeople and labourers?—I have.

2304. Have you any idea what proportion of those 33,000 are committed, in the course of the year, for drunkenness?—I could not tell you that.

2305. I suppose the proportion is not very great; not 10 per cent., is it?—It would be the merest guess that I could give, for I could not tell you exactly at all. We have to look after those

men when they run to excess; and the Commissioners, I should say, would not find the statistics which are before them very correct materials for them to judge of the extent of the drunkenness, because the police will not take up a man unless he is dreadfully drunk and giving annoyance, and has no person to take care of him; a man may be very far gone, and yet carry himself smoothly enough, and the police will let him alone.

2306. Major Gavin.] I think you stated that notwithstanding the closing of public-houses on the Sunday, there was a good deal of drinking going on at the present moment?—There is.

2307. Then I suppose that if we pass this Bill things would still continue as they are now in that respect?—That is more than I can say; whether more can be done in the way of restricting them or not, I do not know.

2308. The law is against their being opened now up to a certain hour, and you say that up to that time there is more drunkenness than at any other time?—It is a question for the executive to see whether they can render more effective their control over them.

2309. I suppose you are aware that the Roman Catholic Bishop in Tipperary has, by his own exertions, greatly put down drunkenness there?—That is so.

2310. In the same way that has been done in Wexford, has it not?—It has succeeded very well both in the archdioceses of Cashel and diocese of Wexford, but we could never succeed to that extent in Dublin or in the neighbourhood; we have a floating population, but in the country places the priest knows the people, and he knew their fathers before them, and he knows all their connections and he can personally influence them in a way that we cannot. For instance, in Kingstown, people come from all the four points of the compass; they are moving about continually, and so we could not exercise the same influence over them as the clergy in the country could.

2311. But, of course, there is no doubt that you do endeavour to do what can be done?—Everything is done that can be done, but when a man gets a passion for drink, and when he has the facility for gratifying that passion, though his resolutions may be strong, he yields to temptation ultimately.

2312. Do you suppose that those persons who surround the public-houses on Sunday evenings, as you have stated, belong to your own flock?—Some of them do; but a great many of them do not.

2313. Have you ever tried the extreme measure of giving their names?—In the neighbourhood of Dublin, we should consider that a very extreme measure; they might give our names to the Attorney General for prosecution, and that might be very inconvenient.

2314. Mr. Monsell.] You have stated that you are now parish priest of Kingstown, having been formerly connected with the parish of Francis-street in Dublin?—Yes, that is so.

2315. Supposing that the enactments of this Bill were, so far as regards towns at all events, having municipal bodies or Town Commissioners, to be permissive, do you consider, beginning first with Kingstown, that a body elected by so large a constituency as the Town Commissioners, would adopt the Bill or would reject it, supposing they had the choice?—I think that if it were made permissive, it would not be brought into action.

2316. I am speaking of the Commissioners who would

would be elected subsequent to the Act coming into operation; do you consider that under those circumstances the Act would not be adopted?—I give it as my opinion that the Act would never be brought into force; and that follows from this, that the men who sell spirits are, generally speaking, very influential men, and the candidate for civic or municipal honours would certainly look about him twice before he would give offence to men who might put a serious stumbling block in his way, and who probably might be a competitor for a seat at the Town Commissioners' Board, and it would be thrown upon him an odious duty. People in small towns do not like to be called upon to do an ungracious thing to a neighbour.

2317. Would you give the same answer as regards Francis-street?—I would.

2318. Does not that show that public opinion cannot be very strong in favour of such a measure as this, when it cannot prevail against those personal considerations?—I do not think that those objections would exactly stand; the number of people in that trade is very large, and a very large number of them are exceedingly intelligent, and many of them are well-educated men; whether they are opposed to the Bill or not I do not know, but if they were opposed to the Sunday closing entirely, and if a man came to canvass them, they would say, "I will give you my vote provided you will set your face against carrying this Bill into action; if not, I will use my influence against you;" I know that it would simply be creating difficulties in the way of a candidate for the commissionership of a town, or for civic honours, and I think they would be

very thankful to you for not putting them in the way of such opposition.

2319. Mr. *O'Neill*.] You stated that the respectable publicans were generally in favour of closing on Sunday?—I speak from facts that I have been told of, and from my own knowledge with regard to many of them, for I am quite sure that they would be very glad to do anything that would contribute to public morality, and that a very great many of them would close altogether if their next door neighbour did not open on Sundays, and so take their custom from them.

2320. Do you not think that that which you have just stated would a little mitigate against what you previously stated with reference to the difficulty of carrying out the Act if it were made permissive?—It would if the whole trade were composed of men of the character of which I have been speaking, but I am sorry to say that the trade is not composed exclusively of one class; there are many who would be unwilling to close, and would simply give any opposition that they could to those who would make a permissive law a law of obligation. Men do not like to be called upon to enact that which appears to be an ungracious thing to their neighbours, which such a measure would be to many.

2321. Mr. *Murphy*.] I take for granted that your opinion is that whatever rule of restriction, if any, was enacted with regard to public-houses, the same rule should be enacted with regard to all houses of that class?—Yes; if you make any exception in the rule you would simply be intensifying the evil that exists.

Dr. JAMES O'SHAUGNESSY, called in; and Examined.

2322. *Chairman*.] You are a Surgeon at Limerick, are you not?—Yes, I am.

2323. And you are also a magistrate, I believe?—Yes.

2324. How long have you been resident in Limerick?—For about 30 years.

2325. You are well acquainted with the population, are you not?—Yes, I am.

2326. Have you considered the question involved in this Bill, of further restrictions on the sale of intoxicating drinks on the Sunday?—Yes, I have.

2327. Have you formed any definite opinions upon that subject?—I have.

2328. May I ask you what they are; do you consider that it will be desirable totally to prohibit the sale of drink on Sunday or not?—I do.

2329. Do you also consider that it would be practicable?—I do.

2330. Would you be so kind as to give the Committee your reasons for thinking, in the first place, that it would be desirable to take each case separately?—Do you refer solely to the city or generally to the country around, with which I have a large acquaintance.

2331. To Ireland altogether, but of course I refer chiefly to your own locality, as being the district with which you are best acquainted?—If you will allow me to take the counties around where I have a large professional as well as visiting acquaintance, I will give you my opinion professionally, and also as a magistrate, that it would be desirable as well as beneficial to prevent altogether the sale of spirits on that day.

2332. Would you intend that also to apply to 0.55.

the city of Limerick?—Yes; it would perhaps be difficult to carry it out without additional powers, and perhaps without an increase of public expenditure, but I think it could be carried out, and I think it would be exceedingly beneficial to the condition of Limerick that it should be carried out.

2333. Why did you say that it would be very beneficial?—Because the present system is productive, to my certain knowledge, of very bad consequences to the public.

2334. What are those consequences; is drunkenness very prevalent in Limerick?—I did not mean to say so, but so far there is a good deal of drunkenness, and I think that the great portion of that drunkenness results from Sunday drinking.

2335. Do not you think the people in the city (to take that separately from the country) would feel it a hardship and an inconvenience if there were no place open where they could get any refreshment on a Sunday?—I do not think they would; I think it might be an inconvenience, but I think the great benefit arising from the closing would more than counterbalance that.

2336. Do you think that the public in general would be in favour of total closing on Sunday?—I think, as a rule, they would.

2337. What further expense do you consider would be required to be incurred in order to make the law effective?—I presume that there would be perhaps a greater number of constabulary required in whose hands the case would rest.

2338. Are you of opinion that it would be necessary,

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cessary, in the city of Limerick for instance, to maintain an increased force all the year through to maintain the law?—I think so, partly.

2339. Do you think that a change in the law would be necessary to give greater power to the magistrates?—I think the magistrates have power enough.

2340. Do the people in the city of Limerick go out into the country to any great extent?—Not to any extent; they do to the neighbourhood of Castleconnel, occasionally, but not to any great extent.

2341. Mr. *Monseil*.] I understood you to state that you considered that public opinion would be in favour of the total prohibition of the sale of spirits on Sunday?—I think so.

2342. Suppose the Bill were altered so as merely to make it a permissive Bill, do you consider that the Corporation of Limerick would adopt the provisions of the Bill?—Yes, I do.

2343. And that those who elect them, the burgesses, would sustain them in that?—I do.

2344. Has there been any diminution of drunkenness lately in Limerick?—Yes, there has.

2345. Would you mention to the Committee the circumstances under which that diminution has taken place?—Taking the last three months as compared with the three months before, that is, the month of January, February, and March, the number of cases that have come before the magistrates is very nearly half those for the three months before that; that is, for October, November, and December.

2346. And what has caused that diminution?—The cause to which it is attributed is entirely the fact that a mission was held by the Redemptorist Fathers, in Limerick, and that has produced a wonderful moral change, not alone as regards drinking, but as regards pure and moral effects upon families. I could mention many instances in which families have been restored to happiness and comfort which were in misery before that, and that drunkards have been known to go about and endeavour to enlist as many as they could of their former associates to return to temperance.

2347. Has there not been some society formed in Limerick with reference to taking certain steps against the opening of public-houses on Sunday?—Yes.

2348. Will you mention to the Committee what the rules of that society were?—I do not exactly know what the rules were; I know, as I said before, that the number of cases before the magistrates for the last three months, is about half what it was for the three months before.

2349. Before that time, I think, the cases of drunkenness in Limerick on Saturdays and Sundays, were very much more numerous than on other days?—The proportion was very nearly three to one on Monday mornings as compared with any other day in the week.

2350. What is the proportion now?—The same proportion, but the numbers are less.

2351. Was not there an attempt made to form a voluntary agreement among publicans in Limerick, against selling spirits on Sunday?—Yes, there was.

2352. And did not by far the greater number of the publicans agree to enter into those obligations?—I am not aware that there was an exception.

2353. Do you know why it was not carried out?—An infringement took place, we will say, in a certain locality.

2354. It was absolutely tried?—It was tried, and with benefit.

2355. The engagement was made, and was afterwards broken by certain parties?—It was; and an appeal was made to the Roman Catholic clergy by the parties who were suffering from the effects of the engagement being so broken, and they said that of course they must release them from the restriction, and things returned to their old state; but I am happy to say that a very large proportion of the grocers, about 80 respectable grocers in Limerick, though they have the power of opening, do not open at all; even those who have spirit licenses as well as grocery licenses do not open on Sundays.

2356. How long did the whole body of publicans preserve those obligations?—Not more than a month.

2357. Was there any inconvenience suffered by any class in Limerick during that period to your knowledge?—I should say, as far as I could see from my extensive intercourse with the poor, and I have very large reasons for mixing with them, both professionally and otherwise, very much the contrary, inasmuch as while the beer-houses were less frequented, the wives and children were less neglected; and I could never hear that there was any inconvenience arising from it.

2358. You heard no complaints?—I heard no complaints at all.

2359. It was not on account of any public opinion expressed by meeting, or in any other way, that the agreement was broken through?—Not by any means.

2360. Did you, on the other hand, hear a strong approval expressed of the course that had been taken?—I do not remember that I heard it much spoken of, except amongst those people who were the victims of it before; that is to say, the wives and families of the drunkards.

2361. Did you hear upon their part great satisfaction expressed?—Yes.

2362. With regard to country people coming into Limerick on Sunday, did you hear complaints upon their part that they were not able to get refreshment?—No, I never heard them complain. I may mention that I do not think the closing was universal; there may have been beer-shops and other places open where perhaps drink was got, and my not hearing of it would not be absolute proof in favour of it, inasmuch as there may have been some houses where they could have got it.

2363. Do you mean by that illicit houses?—No; I mean that as it was only an ordinary ecclesiastical order, perhaps the closing was not so generally observed as it would have been under legal order, and perhaps there were some houses open in which accommodation could have been got.

2364. Are you quite right in saying that it was an ecclesiastical order; was not it an agreement made perfectly voluntarily?—I think it originated just as much with the clergy.

2365. Did it not originate just as much with the Protestant clergy as with the Roman Catholic clergy?—I never heard of the Protestant clergy moving in it; it only reached me that the Roman Catholic clergy went and had the names of the different parties taken down who were to close. I never heard that the Protestant clergymen took any part in the movement.

2366. When you speak of the public opinion of Limerick, of course the vast majority of the people

people are Roman Catholics; but the Protestants would be as anxious about this prohibition as the Roman Catholics are?—Yes; I believe they are very anxious indeed, quite as anxious as the Roman Catholics; but the Protestant clergyman's congregation is generally of that class that they do not require to have a restriction with regard to drink, but it is not so with the Roman Catholics.

2367. Speaking as a professional man and a magistrate, should you say that a large proportion of crime in Limerick may be laid to the account of drink?—I should say nine-tenths of the crime not only in Limerick, but also in Ireland, and not only general but agrarian, that now takes place, is the result of drink.

2368. Mr. O'Neill.] With reference to that voluntary arrangement for closing on Sundays, did the Protestant publicans agree to it as well as the Roman Catholic publicans?—I think that there is but one Protestant publican in Limerick, and he is one of the most temperate and temperance loving men in the whole city.

2369. With regard to the mission of the Redemptionist Fathers having been so successful in Limerick, do you know whether there is any other large town in the south of Ireland that has been making similar exertions?—I am not aware of any, except in those dioceses which you are aware of already, Cashel and Farnham.

2370. I was speaking of large towns?—No, I have not heard of any. I may say that it would be very hopeless and useless to do so in large towns like Dublin; I think it would be almost futile. Limerick is not sufficiently large to have a difficulty in carrying it out.

2371. You think Limerick is the largest town in which it could be carried out?—I think it is about the largest town in Ireland where it could be carried out successfully. I think it could not be so well carried out in Cork, or Dublin, or Belfast.

2372. Mr. Stacpoole.] Would you make any alteration in the system of licensing; would you take away from the excise the power of licensing?—I think so; that is the most important course; everything depends upon the character of the party who gets the license. In the inquiry before the magistrates we require to be exceedingly particular, and were it not for the assistance which we get from the constabulary, by their inspecting houses and their mechanical contrivances, we should never be able to carry out the law. There is, of course, a great deal of supervision in that way, which has led to a great deal of discussion on the bench, and our chairman, as well as our magistrates, take great interest in it.

2373. Is it the fact that if a publican misconducts himself, he merely has to go to the excise to get another license?—No, that refers to the beer-houses, but it does not refer to the licenses of grocers or spirit dealers.

2374. Do not those people who are merely allowed to sell beer sometimes infringe the law?—Not sometimes, but I believe they always do, and I believe it is the most destructive thing that can possibly be, and does more harm than anything else.

2375. You would put them under the same law as everybody else?—I would.

2376. Mr. Murphy.] Am I correct in assuming that the opinion which you have given has exclusively relation to total closing?—Yes.

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2377. And that it would be highly desirable?—Yes.

2378. Having the object in view of preventing as much as possible excess in Limerick?—Certainly.

2379. You are aware that the object of this Bill is to allow spirits to be sold during certain specified hours, but not to be consumed on the premises?—I am.

2380. Do you think it would be practicable to carry out such a measure as that?—I think that it would be perfectly Utopian and perfectly foolish to expect it. The moment a man goes in to purchase whisky, he may consume it, and the owner of the shop cannot prevent him from doing so. I have had the opinion of some in the trade upon that point, and they are perfectly hopeless about it.

2381. Is it your opinion that if the authorities attempted to enforce the proposed regulations in this Bill, in this respect, they would be able to do so?—I do not think so. I think it would be out of their reach. I do not think that all the powers in England would be able to do it.

2382. Do you think that what is proposed in this Bill would be totally inoperative?—Exactly.

2383. Are you equally of opinion that any restriction to be imposed upon public-houses, that is to say, houses kept by licensed vintners, should be applied to every house which sells fermented or alcoholic liquors?—Yes.

2384. No matter under what name the establishment may be kept?—Yes.

2385. Have you any idea what the proportion of what I may call the drinking population of Limerick is to the gross population?—No, I have not.

2386. It is almost unnecessary to ask you, after what was said about the good effect produced by the Redemptionist Fathers, whether, in your opinion, an Act of Parliament could do what they have done?—I do not think it could.

2387. That, in fact, any legislative enactment for the purpose of repressing drunkenness would be of no use unless it were supported by the moral opinion of the people themselves?—No; none whatever.

2388. Major Gavin.] I think you stated, in answer to Mr. Monsell, that you thought total closing on Sundays would be the best system?—That is my opinion.

2389. Do you not think that that class of people, seeing that in Limerick the gentry have a club-house to go into, and reading rooms, and billiard tables, where they can get refreshments, there would be a jealousy among the lower classes if they found that the class above them had privileges that they could not enjoy themselves?—I do not think so; I do not think that the poorer classes of Limerick would feel that there was class legislation, if we may call it so, because the members of the Limerick Club were allowed to enjoy themselves; I do not think that they would have the least feeling about it.

2390. But I do not restrict myself to the Limerick Club-house?—I do not think that anybody would feel that.

2391. I do not mean the lower class altogether, but there are clerks and tradespeople, who have made their money during the week, and who like to display, perhaps, a little hospitality on the Sunday, and to have a place to go into where they can have a little conversation, without getting

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drunk; you know it is the custom of Irish people not to drink in their own house?—My answer is, that I do not think there is any objection to the Bill on the grounds you mention.

2392. That no jealous feeling would exist when the poorer class saw those above them enjoying themselves, when they could not do so?—The great bulk of the people would feel that the advantages to society were so great; and they would also feel that they had the opportunity on Saturday evening of purchasing as much as they might require for their comfort and sociability, and of enjoying it at their own houses with their families.

2393. But it is not the custom at present for people to do that?—I think it would be done. It would be one of the benefits arising from this law, if the houses were closed on Saturday night at nine or ten o'clock. I think it would be necessary to give them up to ten o'clock in the City, but not later. I think that they then would begin to feel that instead of just getting their glass at the public-house, they would get on the Saturday as much beer and spirits as they would require on Sunday, and use it with their families; because any other drinking beyond that arises from the impulse of the moment. A man meets another, and asks him to drink, and then there is drunkenness as a frequent result.

2394. Could you inform the Committee what time generally in Limerick the employers pay their workmen on Saturday?—A good many of the employers in Limerick pay on Friday.

2395. Are there any employers who pay as late as eight or nine o'clock on Saturday?—I think there are many of the small shopkeepers, who pay late on Saturday.

2396. As late as eight or nine o'clock?—Yes; the very class that Mr. Murphy spoke of, the shoemakers, pay late, not because of any unwillingness to pay earlier, but because they have the men coming in from their work.

2397. Would you not be an advocate for having the public-houses closed early on Saturday?—I think that it is most destructive to have them closed so late as 11 o'clock; I think 10 o'clock is the last moment the public-houses should be allowed to be open, and I have taken the opinion of a large number of the publicans of Limerick on the subject.

2398. Could you say what would be the feelings of the spirit grocers themselves?—They would be in favour of restriction on Saturday.

2399. And also in favour of the total closing on Sunday?—Yes, as a class, they would; there may be exceptions, but I think the majority, and more than the majority, the great bulk of them, would be in favour of it.

2400. You are, as we know, a member of the Saint Vincent de Paul Society, and therefore, as such, go about visiting a great deal among the poor; do you suppose that much poverty is produced in Limerick by a great deal of drinking on the part of the working man?—After an experience of many years, my opinion is that a great many cases of extreme poverty, particularly amongst the tradespeople, not amongst the labouring classes, have arisen from intemperance, I do not mean to include the labouring man, because I regret to say at present they have other causes of poverty besides that.

2401. And you as a member of the Society of Saint Vincent de Paul are called upon to assist

those people in their poverty?—Yes, we have been.

2402. Do you not go about from house to house visiting?—Only when applications are sent in by parties who are in poverty, then we visit them after that.

2403. But you do not do it without knowing their circumstances?—No.

2404. Lord *Claud Hamilton*.] In paying those visits where you are so invited, you say you frequently trace the downfall of those persons to habits of intoxication?—Yes.

2405. That has been your experience?—Yes, it is.

2406. You are of opinion that the temptations which are now open to the public under the present state of the law, would be very much diminished by a change somewhat like that which is proposed by this Bill?—I am.

2407. And, in entertaining that opinion, you are speaking for yourself, and those with whom you have been acting?—Yes, I am.

2408. Major *Gavin*.] You stated, I think, that it would require a greater force of police, if this Bill were passed, to carry it out?—I did.

2409. Supposing that in Limerick, as was the case in Tipperary and Wexford, the clergy of both sides joined and exerted themselves to stop this drinking on Sundays, and watched or did what they could to prevent these houses being opened, do you not think that that would be sufficient?—No; not in a place so large as Limerick. I think it would be in very small towns and villages, but not in the City of Limerick, because although I believe the city to be the largest city in Ireland where it could be carried out, I think it would require a good deal of additional aid, for the constabulary already have a large amount of duty to discharge in Limerick; they have quite enough to do as it is, without throwing an additional onus upon them.

2410. You stated that it was the habit of people in Limerick to go out to Castleconnell, and other places on Sunday?—Yes, it is.

2411. Do you not think that those people would feel annoyed if they could not get any refreshment?—I think they might feel it a little, but I do not think it would cause much general public annoyance, inasmuch as great collateral benefits would arise to society.

2412. Are you of opinion that the total closing of public-houses on Sunday would be a benefit to a great number, and that the great body of the public would not object to it?—That is my opinion.

2413. Lord *Claud Hamilton*.] Is not a great portion of the laborious duty imposed upon the police now owing to drunkenness?—A portion of it is, but not a great portion.

2414. I was going to suggest that if the closing of the public-houses did give a great increase of labour at one end of their duties in respect of supervision, would they not have a less amount of labour at the other end in respect of the fewer cases of drunkenness they would have to deal with?—I think for some time it would require great vigour upon the part of the constables to prevent the infringement of the law; it is broken very much as it is, and I think for some time there would be so much infringement of the law there, that the police would have much difficulty in endeavouring to prevent it.

2415. Would it be infringed by the establishment of shebeen houses, or are you of opinion that

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What licensed houses would break the law?—I think that both cases would arise.

2416. You do not think that the licensed houses would assist the police?—I dare say some of them would as much as they could.

2417. You do not think the police labour would be excessive, I suppose?—Yes; I think it would, the banks have been closing earlier, and the effects of that have been that the rush of business on the bank clerks has been excessive, because so many people came all at once, and perhaps it might be so under this Bill; but that will find its level in the course of time.

2418. Mr. *Murphy*.] Have you any idea with respect to the committals on Monday morning; how many of them arise from Sunday morning drinking, and how many from Saturday night drinking?—Yes I have; but that would not always be a fair test, because the stipendiary

magistrate in some instances, I myself in some cases, would attend at the police court on the Sundays, and if there be a case in which there is no bad conduct, we try the case then.

2419. My question is this; you stated that the Monday morning committals, that is, the cases brought up on Monday morning for adjudging are greater than on any other morning in the week; have you turned your attention, or are you capable of telling the Committee what proportion of those cases, which are adjudicated upon on Monday morning, arise from offences committed on the Sunday night, and how many from offences committed on the Saturday night?—I think they would be about equal.

2420. You think that there are no more upon Sunday than upon Saturday?—I think Saturday quite comes up to Sunday, that is my general opinion.

JOHN LEWIS O'FERRALL, Esq., called in; and Examined.

2421. *Chairman*.] What office do you hold?—I am the Commissioner of Metropolitan Police in Dublin.

2422. I think when this Bill was introduced to the House of Commons last year, your attention was called to it by Lord Mayo, and you were requested to report upon it?—I was.

2423. Will you read that report to the Committee?—The first part of this report has reference to the spirit grocers, and those peculiar licences independent of publican's licences, and which do not immediately refer to this question. Then the report goes on: "With regard to the Bill now before Parliament for reducing the hours during which public-houses may keep open on Sunday, the Commissioners fear that the measure, as now framed, would not be successful in effecting the object it has in view. It proposes to limit Sunday trading to two periods; namely, the first from one to half-past two in the day; and the second from eight to nine in the evening, and in both instances to sale only, expressly prohibiting consumption on the vintner's premises. This would be practically closing public-houses altogether on Sunday; and were it possible to accomplish so laudable an object with the concurrence of a fully developed public opinion, and with a due regard to the interests involved, the measure would be a most desirable one; but there are many circumstances touching the question, and entitled to consideration, which do not appear on the surface. In the first place, the question of revenue arises, for if the trading hours of the publican be reduced on Sunday from nine hours in duration, as at present, to two and a half, and for sale only, the income of the publican must be largely reduced by this short time, as well as by the loss of the sale of the more costly warm drinks, which could only be consumed on his premises, such as those made with whiskey, wine, &c. &c. The value of his license becomes accordingly deteriorated, and he would naturally seek reduction from the excise, the privileges and advantages of his licence being no longer what they had been. So far for the question of revenue, which, however, in the interests of sobriety and good order, though not without difficulty, is not incapable of adjustment. But then comes the question, how far the interests of public morality would be advanced by this total closing through the operation of the proposed

Bill. Would no other places for drinking be surreptitiously called into existence. The drinking at all hours, now so openly carried on in many spirit-grocers' shops, and in most of the beer-houses, in direct violation of the conditions of their licenses, is proof how reckless people seeking drink usually are, and that there will not be wanting persons in total disregard of the law always ready to minister to this craving. The public-houses in Dublin are for the most part well conducted, the laws regulating them are sufficiently stringent; but were they to be superseded on Sunday by a number of unlicensed and irresponsible drinking places, as there is too much reason to fear would be the case, the evil of Sunday traffic, instead of being lessened, would be aggravated. There might be the show of good order for a time, but the Commissioners fear it would be only in appearance, and would not be lasting. The publican himself would not be slow to perceive this illicit traffic, and many, it is feared, would consider themselves justified in violating the law, permitting consumption during prohibited hours, and having recourse to many stratagems for the purpose. Indeed the Bill would appear, though not so intended, to encourage something of this kind by the provision (clause 2, sec. 1) to enable eating-house keepers and confectioners to sell spirituous liquors for consumption on the premises during the entire time that public-houses may now by law keep open for business on Sunday, but would be shut under the Bill, which, in effect, would be securing a monopoly to two classes of traders to the exclusion of the legitimate vintner, who, in order to protect his livelihood, has this strong interest in keeping within the law; but should this Bill become law, the Sunday traffic would pass (as already remarked) into the hands of a different, and as a rule, an inferior class; eating-houses would multiply almost indefinitely, and would in all probability become as great an abuse as beer-houses now are. These observations, it will be understood, apply only to the metropolis. How far the Bill might be desirable in the provinces the Inspector General of Constabulary will be able to say. As bearing on its application to country districts; it is understood that in the County of Tipperary, and in some other districts, public-houses are now closed altogether on Sunday. But this desirable effect has been accom-

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plished, not through legal enactment but voluntarily, and is therefore likely to be durable as resting upon the concurrence of the people and the conviction of the publicans themselves of its advisability and propriety. It is, however, doubtful whether, if this Bill were passed, this concurrence and conviction would be found in the Dublin Metropolitan Police District. From what has been urged it will be inferred that the Commissioners are in favour of the voluntary system, under present circumstances; and they are so, as will be apparent from what has been advanced; and because their experience does not enable them to say that the subject is sufficiently ripe for such legislation as the Bill contemplates, or, in other words, that the classes who support public-houses, are convinced of the necessity of the proposed restrictions. What course then would be advisable to follow? The Commissioners would suggest that the object in view should be accomplished in a more gradual way through the medium of the municipal council, who, as the direct representatives of all classes of citizens, could move more effectually in the matter, and, through them, public opinion could be matured and brought to bear upon the question. The Bill then might invest the borough council with power to move the Lord Lieutenant in Council to sanction such limitation of the hours of Sunday trading as they might suggest, or total closing on that day. Brought about in this way, his Excellency's sanction would appear in the light of a recognition of the popular voice, and of giving force and validity to the views of the citizens generally. In the rural portions of the police district the same course might be adopted by the town commissioners, or grand jury, where the former do not exist. The Commissioners are fully alive to the importance of the subject. No country has suffered more from its drinking habits. The public-house has always, unfortunately, been immediately or indirectly identified with crime, whether political or agrarian. It has also been invariably the favourite rendezvous of all organizations, legitimate or otherwise; but, at the same time, the true remedy, the Commissioners submit, is to be found, not so much in repressive legislation, as in the moral conviction of the masses, of the evil and of the disastrous consequences which flow from it. Voluntary philanthropic efforts can best accomplish this. It is right to mention, in a candid examination of the subject, that the fair trader, the licensed publican, has been at a disadvantage. His legitimate business, which the law fully recognises, has been unduly trenched upon by the unscrupulous beer-house dealer and spirit grocer, who have been brought into existence for revenue purposes without reference to other consequences. The amendment of the law with respect to the two latter, referred to in the former part of this report, will remove this disadvantage, and the question of restricting Sunday business by the regular vintner will then be deprived of some of the difficulties which now beset it. Indeed, any alteration of the law, so far as Dublin is concerned, in the direction indicated by the Bill, pending the correction of the abuses now peculiar to beer-houses, &c., would be premature, and would, as already pointed out, fail, in the opinion of the Commissioners, at present to effect the commendable object which prompted the measure. There is another way in which the subject might be approached, and that

is by the issue of a special license by the Inland Revenue, providing for the omission of Sunday, and limiting trading to week-days only. The license, of course, should be at a reduced rate. Many publicans, when the competition of beer-houses ceases, would probably avail themselves of it. It would prepare the way for more restrictive legislation subsequently." There are 73 public-houses that do not open on Sunday now.

2424. It is mentioned in that report that the question of the revenue would have to be considered, and that if public-houses were closed upon Sunday, as the value of their licence would be thereby diminished, they would probably seek, with some amount of justice, as appears to be inferred, a reduction in the rate of licence; can you say what is the price of a publican's licence at present?—I think it varies according to the value of the house; it is so much on the value of the house.

2425. About what is it?—I should say on the average somewhere about 10 guineas. The amount varies from 2*l.* 4*s.* 1*d.* under 10*l.* value, to 11*l.* 0*s.* 6*d.* on 50*l.* value or upwards.

2426. It has been mentioned by the president of the Licensed Vintner's Society, that publicans pay enormous sums for the goodwill of a house which has a license, and that is part of the capital they have invested. If a man has invested 10*l.* for his license, and 50*l.* or 100*l.* for his house, surely the fact of shutting him upon one day out of seven would have a very small effect upon the value of his licence?—He would have so far a claim; he would have more than a seventh of his business reduced, Sunday being the best day for business in the week. £. 500 is sometimes paid for a licensed house.

2427. But is there any ground for thinking that it would be no longer worth his while to pay for a license?—It would not make very much difference to the value of the license.

2428. I think then we may consider that that would not be an important consideration?—No doubt; but, in considering the subject, the question of revenue forms an element, and there are several publicans in the police district, whose chief business is done on Sunday. This will be apparent from the fact that there are in the suburban parts of it 57 public houses frequented by persons from the City on Sundays, and deriving their chief support therefore from Sunday business.

2429. The objections of the Commissioners, as I understand them, to the Bill, which we are reporting on, are, in the first place, that the clause allowing the sale of drinks in eating-houses and confectioners, would lead to immense abuses, in fact, it would merely substitute eating-houses for public-houses; am I right in that?—Yes.

2430. And their second objection to the form of the Bill is, that the restriction with reference to consumption on the premises would lead to similar abuses?—Yes, it is.

2431. Am I right in concluding that those two objections are, so to speak, to the form of the Bill, and not to the principle of increased restriction on the sale of drinks altogether on Sunday, and, in fact, that those two objections might be removed by changes in the form of the Bill?—I consider that there would be no objection to a Bill of that kind, if there were reasonable grounds to conclude that it might be carried out.

2432. You are of opinion that there is no objection to the Bill, as regards diminishing the facilities for drink, if it could be reasonably expected

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pected to be carried out?—If it did not increase illicit drinking; but that always produces more disorder and more crime than the drinking in public-houses.

2433. These two objections could be got rid of by a change in the Bill, could they not?—Yes; but the effect would be to make the law much more penal; and there is a great difficulty in enforcing a penal law, not only as regards the persons who are subjected to it, but on the part of the magistrates who have to enforce it.

2434. The last objection which I think you mentioned in that report is, that under the proposed change, there would be a great deal of illicit drinking amongst the spirit grocers and other houses on the Sunday?—That is, that spirit grocers and beer dealers should be reformed before anything is done with reference to the time of closing the public-houses.

2435. As far as the purposes of this Bill are concerned, which has merely reference to the sale of drinks on the Sunday, could not that objection be met by a clause simply extending the provisions of the Bill to all sales of drinks on Sunday; such a clause would put beer-houses, and licensed grocers, and every other person who deals in intoxicating drinks, so far as regards the Sunday, upon exactly the same footing as the publicans?—No; because the spirit grocers and beer dealers sell contrary to the law, and in violation of the law, because, though they have the right to sell, they have only the right to sell a certain quantity, and that not to be consumed on the premises; and they frequently sell in violation of the law, to be consumed on the premises, while their houses are closed, and the police have no authority to enter and so to convict them. The more you increase the difficulty of getting liquor in proper places, the more people you throw into their houses.

2436. That is into their shut-up house?—Yes, into their shut-up houses; the only time the police get in is when the door opens; they then walk in, and if they find any consumption going on, then they have a case.

2437. But as far as consumption in the houses of licensed grocers is concerned, there would be no difficulty in putting them on the same footing as the licensed vintners?—No; for then if they violated the law conviction would follow.

2438. But at present there is a difficulty in proving a violation of the law in their case, because the police cannot enter their houses?—Under the Act 8 & 9 Vict. c. 64, the police can enter, "at any time or hour," at which the house is kept open for sale. But when drinking is going on inside, while the house is shut, this creates a difficulty, because they are not retailers for consumption on the premises, and therefore are free from the law which the vintner is subject to.

2439. And the same observation applies to the sale of drinks upon unlicensed premises; it has been stated that the milk-shops sell intoxicating liquors?—The police have the power of entering by taking a warrant. If a police-constable has reason to believe that spirits are sold without a license in any place, he may lay an information and take out a warrant.

2440. But can he get a warrant for entering the shop of a licensed grocer where he has reason to believe that spirits are sold at improper hours?—There is no limitation with reference to the hours of sale in the case of the spirit grocers,

because liquor is not sold for consumption on the premises.

2441. Do you mean that the spirit-grocer may sell between eleven on Saturday night and two on Sunday?—He may sell at all hours of the night.

2442. Is there no law against the licensed grocer selling spirits not for consumption on the premises between eleven on Saturday night and two on Sunday afternoon?—I think not.

2443. Is not there a common law against their selling at all on the Sunday?—I do not think it applies to provisions, or anything in the nature of provisions; that is, the Act of William the Third.

2444. Then, in point of fact, are the Committee to understand that there is nothing to prevent a licensed grocer keeping his shop open the whole of Saturday night and Sunday morning?—He can keep the shop open, but to consume the liquor he must take it into a private room.

2445. But he may keep his shop open for the sale of spirits, and any man may buy that spirits and take it into the street and drink it?—But he must sell a certain quantity.

2446. What quantity?—A very small quantity if it is not consumed on the premises.

2447. Does that take place in fact in Dublin now?—Very largely; the whole of the illicit drinking in Dublin is in beer-houses and at spirit grocers as they are called; it is not every grocer who has a license of that kind.

2448. Mr. *Murphy*.] I believe by the 6 & 7 Will. 4, c. 38, s. 3, the grocers are not entitled to sell less than one pint, and not to be consumed on the premises, but there is no limitation with reference to the hour of opening or closing?—But the provisions have been altered. I think under the 8 & 9 Vict., they can sell a less quantity; the quantity has been reduced, any quantity of spirits may be sold, even a glass.

2449. *Chairman*.] With regard to beer-houses, what does their license empower them to do?—Their license empowers them to sell a certain quantity of beer not to be consumed on the premises; there are two beer licenses; there is the wholesale beer license and a retail beer license. Here is the paragraph in this report, with regard to spirit grocers, which we have been just discussing.

2450. Will you be kind enough to read it?—"With respect to the retail sale of spirits, &c., under a wholesale license the Commissioners are of opinion that the following amendments would be desirable as providing checks that would tend materially to restrict infraction of the license by confining the business within the legitimate bounds which it prescribes. As detailed in the report of the Commissioners of the 13th ultimo, the houses referred to are of two classes, namely, spirit grocers and beer dealers; spirit grocers are regulated by the Act 8 & 9 Vict., c. 64. This Act should be amended by providing, first, that the hours during which spirit grocers should keep open for business should be the same as those during which houses licensed for the retail of liquors." "Public-houses may now, by law, keep open, and should be liable to the same penalties for being open during prohibited hours." That would be alone the first important step. "Secondly, that any spirit grocer allowing consumption on his premises, delaying to admit or harbouring tipplers, should be liable to a fine not exceeding 5 l. and forfeiture of license. For these offences the penalty is now under the

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Act mentioned, not exceeding 2*l*., and forfeiture of license." Every time they are convicted they lose their license, but they can only be fined 2*l*.; the magistrate, however, generally cautions for the first offence, and the fine is 10*s*. for the second. I doubt whether he ever gets up to the 2*l*. Thirdly, that any spirit grocer convicted of any of these offences should not be eligible to obtain a new license for twelve months after forfeiture; Fourthly, that a license to carry on the trade of a spirit grocer in any house or premises under the yearly value of 30*l*. should only be issued by the inland revenue upon the production of a certificate from the superintendent of police of the district, of good character of the applicant and suitability of the premises, and before annual renewal a certificate also, as in the case of the vintners, of the good conduct of the house during the preceeding year; the object of fixing upon 30*l*. is to draw a distinction between the respectable traders, such as the Messrs. Kinahan, Andrews, and others, and those who violate the conditions of their license. The same class of license is common to all members of the trade. Fifthly, that the transfer of a spirit grocer's license should only be made by the Inland Revenue upon the production of a certificate from the superintendent of police of the district that no offences for hearing or penalties inflicted were then pending. The Beer Dealers' Act is the 27 & 28 Vict. c. 35. As the Act stands, it will be perceived that sections 3, 4 and 5, provide for not granting licenses or renewals of licenses without certificate of justice; that persons applying for certificate should give notice to the police, and that the police might object to the issue of certificate. But unfortunately while the Act was passing through the House, section 14 was added, providing that the production of the certificate should not be necessary before obtaining a license, in the case, among others, of the wholesale beer dealers, and as the Act of 26 & 27 Vict. c. 33, still more unfortunately prescribes as of right the grant of a retail beer license to the holder of a wholesale license, the sections above referred to, as must be apparent, became null and void, and the most important of all checks, namely, the certificate, fell to the ground. The amendment of the Act in this respect is all that is now required with one other provision, namely, that one conviction for delaying to admit, harbouring tipplers, or consumption on the premises, should cancel not merely the wholesale or the retail license, but both where the two are held together."

2451. Then, in point of fact, a beer-house may be kept open day and night also?—Beer-houses are subject to the same hours as vintners.

2452. Then, in fact, the difficulty is this: that though you may prohibit the selling of spirits equally in grocers' shops and in public-houses, your objection is, that there is no power of enforcing the prohibition against the grocers?—Yes.

2453. Does that at present apply to the hour at which the others are obliged to be closed from 11 on Saturday night till 2 on Sunday?—The consumption on the premises applies to all hours.

2454. They may sell a small quantity of liquor?—Yes, they may.

2455. And a man may take it into the street and drink it?—Yes.

2456. It has been stated that there is a great deal of drinking, and a great deal of drunkenness

on Sunday morning in Dublin during the hours when the sale is prohibited in public-houses?—That is so.

2457. Can you, from your connection with the police, state from what houses that arises?—From beer dealers and spirit grocers.

2458. Which should you say chiefly?—I should say the spirit grocers; they sell the most spirits.

2459. And are not liable to a penalty for selling it, apparently?—No, they are not liable to a penalty for selling it, but only for allowing it to be consumed on the premises.

2460. In fact the police are at this moment powerless to prevent this drinking during those hours?—They are, to a great extent, from the difficulty they experience in proving sale; that is, that they had seen payment of the money for the drink consumed on the premises.

2461. Am I right in presuming that the very strength of that objection to the present Bill, in the report is that you are powerless to prevent improper drinking from 11 on Saturday evening till the afternoon on Sunday, if the closing was extended to any other hours on the Sunday there would be just so many more hours in which you would be as powerless to prevent illicit drinking, as you are at present?—No, the more you curtail the legal hours of drinking, that is to say, the hours in which the public-houses may be opened, the greater desire there would be for drinking, and therefore the more those houses which will supply it, will be frequented.

2462. That will hold good of the converse, will it not, that the more you diminish the hours during which the drink is to be had, the more you will diminish the illicit drinking?—No, because drinking is carried on very largely in beer-houses, while the licensed public-houses are closed, and to a great extent that is understood to be the case on Sunday morning.

2463. Therefore the objection is simply that the rest of the day that was closed would be as bad as the Sunday morning, and not worse?—A great number of people now will wait until the public-house is open before they will go anywhere to drink, because it is only disreputable people who frequent those beer dealers and spirit grocers at a late hour at night and early in the morning; but if the public-houses were closed all day many people who have been in the habit of drinking at a proper hour would go to the spirit grocer, or the beer shop.

2464. Does the experience of the police confirm the opinion that the greatest amount of drunkenness occurs at a late hour of the evening, that is to say, between 9 and 11 o'clock, on Saturday and Sunday evenings?—I would not like to give an answer to that question, without consideration, but I could send you returns to show you what the fact was with reference to that; we could easily show that, because when a man is arrested the hour at which he is arrested is put down in the charge sheet. *See Return (C.) in Appendix.*

2465. It has been given as a strong reason for limiting the hour for the sale of drink upon Sunday evening, that no perceptible inconvenience would be felt by the better classes of the working classes, if the hours for the sale of drink were considerably curtailed on Sunday evening, whilst at the same time it would considerably tend to diminish drunkenness?—I would have no objection to the hour being restored to what it was within the last few years, namely, 9 o'clock.

2466. Would

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2466. Would you go further and say, you think it desirable that it should be changed till 9 o'clock, instead of being 11, as at present?—I would not express any opinion upon that, because I do not know how far it might tend to increase the profits of the spirit grocers; I would certainly say it would be undesirable to do so, until those two licenses were placed under better control than they are at present. We understand that no increase in drunkenness took place after those two additional hours had been granted; in fact the number of cases were less. It has been said, and with some appearance of truth, that on Sunday evening a large number of excursionists arrive in Dublin about 10 o'clock, and that those people would be subject to very great inconvenience if public-houses were closed.

2467. What class of excursionists would they be?—What we understand by the respectable lower classes, who go to the country on Sundays.

2468. Do they take their families with them?—Very many of them do, and very many do not. And then the question arises with reference to what constitutes a traveller. Of course, as the law at present stands, a traveller may be entertained in a public-house at any hour; he has the right by law to be entertained at any hour; and the question arises, whether a citizen of Dublin, going to the country in the morning and coming back in the evening, is to be looked upon as a traveller.

2469. I believe there has been a decision upon that point, has there not?—I am not able to say; but I understand that a great difference of opinion exists with reference to what constitutes a traveller; some people holding that it is necessary to go a certain distance. If the public-houses were closed, and the persons going from Dublin in the morning and returning from the country in the evening were entitled to go into public-houses after the legal hour, then any person wishing to get drink might go into a public-house and claim to be a traveller after that hour.

2470. You stated, I believe, that if that privilege rested with the excursionist as a traveller, everyone who wanted drink would be a traveller; would not that apply after 11 as well as after 10 o'clock?—I think that after 11 o'clock very few people drink, comparatively speaking, except at an odd time in the beer-houses.

2471. That is to say, very few people drink after 11 o'clock because the public-houses are closed; but would not very few drink then if they were closed at 10?—No; we think that that hour makes all the difference, and that they would try to get drink at spirit grocers.

2472. Is the difference an important one?—Yes; because 11 o'clock is the hour fixed by the law.

2473. But supposing that the hour was not 11 o'clock, your argument would fail. Your argument is, because that is the hour fixed by law, they would continue to get drink up to that time?—If a person cannot get drink at a public-house, and is disposed to get drink, he will get it elsewhere, and then he may get drunk.

2474. Am I right in inferring that all the opinions expressed in the report you have read refer to the existing state of the licensing law?—Yes.

2475. And that therefore we may assume that all those opinions might be subject to modification if the licensing law was changed?—Yes.

2476. And even the opinions with regard to

clauses prohibiting consumption on the premises, and those respecting eating-houses and confectioners, might be changed if the law relating to licenses was changed?—I think it would be impossible to answer that question, because until this change had been in operation sometime it would be very hard to give an opinion by which I could be bound.

2477. My question was, would it not be possible that all their opinions might be changed, seeing that they turn upon that great point with regard to licensing, not that they would be changed?—I could not answer that question with certainty.

2478. The Commissioners have made the suggestion that whatever changes were desirable in this direction might be made with advantage in Dublin, through the Municipal Corporation memorialising the Lord Lieutenant, and the Lord Lieutenant having power to enforce such changes?—That was merely to let the change come from the public, as it were, and not from authority, when it is often better received.

2479. Would not that, which is almost a fatal objection in the opinion of the Commissioners, namely, the difficulty with regard to the licensing system, render even a permissive law objectionable if the law was so changed by the Lord Lieutenant of the country, at the request of the Municipal Council, without effecting this change in the licensing system?—Yes, it would be unsatisfactory until the licenses were altered.

2480. Can you inform the Committee at all how long this question of the anomalous condition of the licensing system in Dublin, and in Ireland generally, has been under the attention of different Governments?—Both the Acts that now exist are recent.

2481. One of them is eight years old?—Yes; it takes a certain number of years before you know the working of an Act.

2482. And you have now clearly ascertained that the working of it is bad?—Yes, we have ascertained that the condition of the licensing system is certainly so.

2483. Have the Government, as far as you know, taken any steps to amend the condition of the licensing laws in Ireland?—I do not know; it is years since this was submitted to the Government.

2484. Then if it is desirable further to limit the sale of intoxicating drinks on Sunday, is it not a poor answer to be told that that must wait for a change in the licensing system, which is entirely another question, and one which has been for years under the consideration of successive Governments, who have done nothing towards remedying it; that great public advantage is to be postponed indefinitely until that is done?—I do not know whether the Government have ever considered the desirability of altering the system of licensing; and it is the point whether it is not desirable that under existing circumstances certain previous circumstances should affect the question.

2485. My point was, whether it was desirable in itself that this legislation should be suspended, because certain changes in the law which are desirable are not likely to be made?—No; because the measure will not produce its desired effects until those changes take place.

2486. Supposing it is desirable further to limit the hours for the sale of intoxicating drinks on the Sunday, and that such a Bill was passed, and the

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the result of that Act proved that such limitation was desirable, but that it failed of producing the good effect which was anticipated, in consequence of defects in the licensing laws, do you not think that that would probably have strong effect in leading to a change in the licensing law?—Certainly, it would cause that change immediately. I can see no reason why the change has not taken place now or did not take place last Session.

2487. Then if we passed this Act, or some Act like this, we may probably be told that our doing so, has had the very desirable result of producing an amelioration in the licensing system in Ireland?—Certainly, but you would increase the evil; you would do evil that good might come from it; you would increase the evil which has been done under those two uncorrected Acts this year in order that they might be corrected next year.

2488. That is to say, we should put the evil in a clearer light, in order that it might be more clearly seen?—You would increase the extent of it.

2489. You would put the evil in a clearer light, and probably cause its entire reformation?—It might be so.

2490. Are you able to give any opinion as to the licensing system in Ireland; supposing the licensing system were put upon a good footing in Ireland, would any further restrictions with regard to the sale of intoxicating drinks on Sunday be desirable, or not?—I cannot give any opinion as to whether they would be desirable, but I should think that there could be no objection to re-establishing the old Act of William the 4th, which limited the hour to nine o'clock on Sunday, and that would be a diminution of two hours on that day and two hours on Monday morning. It worked very well for many years, but it was changed in the interest of the trade. We did not object to it at the time. The Wine Licenses Act, passed in 1860, which extended the time to eleven on Sunday night, and from seven on Monday morning, to public-houses, allowing consumption of wine on the premises where sold under this special Act to that hour (eleven) on Sunday night, and from seven on Monday morning.

2491. Do you think it would be possible to put the licensing system in Ireland on a satisfactory footing?—It ought to be; there is nothing impossible in it if you have time to set about it.

2492. Have you sufficiently considered the question to be able to say in what respect you think the licensing system in regard to Dublin ought to be regulated, so as to do away with the evils you have pointed out?—The question of keeping up the revenue arises, and the question of revenue has been at the bottom of all the present evils, because those evils did not exist some years ago, but they have increased greatly, owing, I think, to a desire to increase the revenue. I doubt very much whether a satisfactory regulation could be carried out without a considerable sacrifice to the revenue. If the beer dealer carried out his business legitimately, many persons would prefer dealing with the beer dealer to going to public-houses; that is, if he did not consume on his premises, or keep a disorderly house.

2493. Do you think it would be possible to give the police the same power with regard to all houses where intoxicating drinks are sold?—I think there would be a very great objection on

the part of the spirit grocers: I may say that the wealthiest grocer in Dublin sells spirits; he is a man whose business is probably worth many thousands a year, and he would think it very hard that the police should be entitled to visit his house at any hour without any pretext except that he chose to suspect something wrong.

2494. How would you propose to remedy the evils you have pointed out without such change in the law with regard to the present abuses?—By giving the police the power to object to the certificate which should be made necessary, and which power they have now in the case of the publican, limiting, as stated in the report, the certificate to houses of the yearly value under 30*l*.

2495. In fact, your proposal would be that in order to get what I think is called an excise license, whether a spirit grocer's license or a beer dealer's license, a man should be required to bring a certificate from the magistrate?—Yes; the magistrate seeks his information from the police.

2496. And you would suggest that the man should not get his license without such a certificate?—Yes, exactly; and in the event of the license being cancelled, it should not be renewed for 12 or 6 months, or whatever time was thought desirable.

2497. And would you also propose that the same restriction as to hours should apply to all persons selling intoxicating drinks under those various licenses?—Beer dealers and those having wine licences are at present limited to the publicans' hours.

2498. Mr. *Murphy*.] I think I understand you as stating that since the Act of 1860, which extended the hour to 11 o'clock on Sunday night, there were rather less cases of drunkenness than there were; I think you stated that drunkenness had not increased?—Yes; we shall be able to give by Thursday the numbers preceding 1860 and 1861, which will show that they have rather decreased after the Act had been passed. In 1859, the year before the Act was passed, the total number of cases of drunkenness was 10,330; in 1860, the year in which the Act passed, the total number was 9,787; and in 1861 the total number was 9,203.

2499. The increase of the hour did not create an increase in drunkenness?—Not immediately after the Act.

2500. Are you prepared to state what the effect of it has been up to the last year?—The returns will show that. We can give you any returns if you will only give us notice. *Vide* returns marked A and B.

2501. You are clearly of opinion that this Bill which is under the consideration, the purport of which, I believe, you are aware of, would probably be totally inoperative, so far as producing any appreciable result went, in preventing drunkenness, unless a similar course were taken, if possible, with other places where drink is sold, with respect to the limitation of their hours?—Our opinion was, that a Bill of this kind would increase the illegitimate business of the trade while it would diminish the legitimate trade.

2502. If any Bill was to be passed restricting the hours of sale on Sundays beyond what they are at present, in your opinion, would it be advisable not to allow drink to be consumed on the premises where bought, or would it be better to allow the consumption to take place where the spirits were sold?—The opinion of the police is, that

that if they were limited to sale only, the Bill would to all intents and purposes be inoperative.

2503. I think you also give it to be your opinion that this Act would not be desirable, under existing circumstances?—No, in reference to these points.

2504. And that the effect of it would be to do evil that good might possibly come of it; it is scarcely necessary to ask you whether you consider that a proper principle of legislation?—No; I might add to that, that this defect in licensing might be corrected this very Session, and that if this Bill passed this Session, at the same time these two licenses which we consider productive of evil might be corrected, and all might go on together.

2505. Major *Gavin*.] Are you of opinion that the total closing of public-houses on Sunday would be desirable?—No; a day may come when it may be done, but I do not think at the present moment, or speaking for the present generation, that it could be done.

2506. Do you think that the closing of public-houses earlier on Saturday night would be beneficial?—It would certainly be beneficial in one way; it would prevent a great deal of drunkenness, and prevent a great deal of disorder in families, two evils which would arise; but whether the evils that would arise on the other side might not be equally great, I do not know.

2507. We have had evidence before us that some of the traders in Dublin do not pay their workmen at night until eight or nine o'clock; do you know if that is so?—It is said so. I have no personal knowledge of the fact.

2508. Are you, from your experience, of opinion that if it was made the law to close the public-houses at nine o'clock on Saturday night, would you say that that would be objected to?—I do not think it would. Under the present state of the other existing laws, I think that drunkenness would be probably greater; in those wholesale houses of course the drinking would be

greater. The illicit trade would be greater, and the legitimate trade would be less.

2509. You fear that there would be barbers' shops and shebeen houses established?—The beer dealers can do any amount of business now.

2510. But supposing we closed every house now at nine o'clock for the sale of liquor, is it your opinion that it would encourage shebeen-houses?—Yes.

2511. It was stated here by a reverend gentleman that, though, as the law stands at present, it directs that the public-houses shall be closed up to 2 o'clock on Sundays, yet he says there is more drinking during the time that they are supposed to be closed than at any other time?—I do not think that is practicable; it is said in some districts that there is more drinking at that hour, but I do not think it is the fact; (*vide* Return marked C.) it is mostly in spirit grocers' shops and beer-houses; it is not in public-houses, or in places where anybody has authority to enter, and where the police can catch them; but they take care to look out and see if there is any policeman there, and, generally speaking, in that way there is no means of proving the offence.

2512. It was stated that it did occur in public-houses where they often had two doors, so that when the police were watching at one door they went out at the other?—In some public-houses that has occurred, and they were summoned, and the keepers were convicted, but, at the same time, the magistrate will not inflict more than one penalty in each case, and for three convictions they forfeit their license.

2513. Your opinion is that drinking does not take place to such an extent as that?—I think it does in spirit dealers' and beer-houses; I think there is drinking there going on to a very great extent now. I would suggest that the penalty for drunkenness on Sunday should be increased from 5s., as at present, under 6 & 7 Will. 4, c. 38, to 10s.

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Tuesday, 12th May 1868.

MEMBERS PRESENT:

Mr. Dawson.
Mr. Chichester Fortescue.
Major Gavin.
Lord Claud Hamilton.
The Earl of Mayo.
Mr. Monsell.

Sir Graham Montgomery.
Mr. Murphy.
Mr. O'Reilly.
Mr. Pim.
Mr. Pollard-Urquhart.
Mr. Stacpoole.

MYLES WILLIAM O'REILLY, Esq., IN THE CHAIR.

CYRUS FIELD, Esq., called in; and Examined.

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2514. *Chairman.*] You are well acquainted, I think, with the legislation respecting the sale of liquors in the State of New York?—I cannot say that I am well acquainted with it; I have been so much occupied that I cannot say that I have paid much attention to the subject; but I have resided there 30 years. At the present moment liquors are not allowed to be sold in the city of New York on the Sabbath at any time.

2515. Does that extend to the city only, or to the state?—To the city only, I think.

2516. How long has that been the case?—For two or three years, I think.

2517. And what was the state of the law before that?—I could not tell you the exact state of the law; but the people who had licenses to sell, sold at all times.

2518. Can you state how that change in the law has worked?—As I understand, we have had a very much less number of arrests by the police since that has been in force than we had before.

2519. Are you referring to arrests for drunkenness, or arrests of all sorts?—Arrests of all sorts.

2520. Are you aware whether it has led to any extensive evasion of the law?—It is said that a great many people cross the river, which is only about a mile in width, into New Jersey, and there spend the Sabbath, for the purpose of procuring drink.

2521. Has it led to any extensive evasion of the law in New York City?—Not that I know of; but I would suggest, if there is time to do so, that the Committee should send to New York, to the British Consul. The reports are published in full, of the results of the law, by the Police Commissioners, who have the management of it. It has been canvassed, for and against, on both sides, and you could have an exact statement of its results. It produced a great deal of excitement at one time, as the Irish population, and the Germans, to a great extent, were against it.

2522. Is there a great Irish population in New York?—Yes, there is.

2523. Do you know how large?—I cannot give the number.

2524. Do you think the Irish were opposed to it?—I think the Irish and Germans were, especially the lower classes.

2525. Mr. *Monsell.*] Still, notwithstanding the opposition, as I understand you to say, the effect of the law has been salutary?—Yes, it has been so.

2526. Lord *Claud Hamilton.*] Those restrictions were imposed by the principal authorities of New York, were they not?—No, by the State.

2527. Then, I presume, they applied to the whole of the New York State?—No; there was a special law made for what is called the metropolitan district, which includes the city of New York.

2528. And before this restriction, was there no limitation of the hours for the sale of liquors on the Sabbath?—None at all, that I am aware of.

2529. Since that law has been in operation, you say it has diminished very much the work of the police, as is shown by the number of cases reported, have there been attempts made to alter that law, or has it been adopted without opposition?—There have been great legal efforts to get a change made, and it has been contested very strongly in our courts. It has been stated that it was not constitutional, but it has been sustained by the highest courts.

2530. Should you say that the public opinion against it is as strong now as when it was first proposed?—I have no doubt that, if you put it to the vote in New York, the result would be against the law, because we have such a great majority of foreigners always coming in, but the native-born citizens are decidedly in favour of the law.

2531. I think I understand you to state, that the statistics of the police would show a most marked diminution of crime, and acts of violence, and drunkenness, since the restrictions have been imposed?—That is what I have been informed of, but my attention has never been called to it closely.

2532. Mr. *Murphy.*] Have you really formed any opinion at all, as to whether the habits of the people, in consequence of this law, have been changed, or whether it has had any effect in stopping excess of drinking, as drinking, whether there is less drunk in New York now than there was?—Decidedly, in a marked degree.

2533. How do you arrive at that conclusion?—Because they cannot get drink, it is not for sale, and they have to go out of the metropolitan district

to get it; either they cross the river into the other state, or they go out of the town.

534. There is a great facility for crossing the river, is there not?—Just so; you can cross for a few pence; it is about a mile across the river.

535. And any people who want to get drinks on the Sunday, go there and get it, as a matter of course?—They go there, or they go elsewhere out of the metropolitan district.

536. And those people who are resident in Brooklyn and in New York proper, go to New Jersey to get drink?—Yes, they do.

537. Do you think that if those parties who go to New Jersey to get drink, had not the present facilities of going to New Jersey, public houses would be opened to supply the wants of those who required drink?—I think the police would stop any such houses at once.

538. Is the police force so large as to be able to do that?—The police are a very large and efficient body; they are appointed by the State, and that they are independent of the voters of New York.

539. Supposing that there was not sufficient superintendence to prevent illicit drinking, what would be the case then; I am speaking merely in respect to secret drinking?—We have a party in New York which sees that this law is enforced, and which works with the police; and they find a place opened on Sundays, they go and make a complaint to the authorities, and have it shut up.

540. Major *Gavin*.] Has your attention ever been called to the drinking on a Saturday night; suppose that people are paid their wages in America on Saturday, in the same way that they are paid here?—A great many of the large establishments have adopted the plan of paying on Monday morning. They say, if they pay on Saturday, the men are tempted to spend a great deal of their money on Saturday night; and so they adopt the principle of paying on the Monday.

541. Is that found to be preventive of drinking on the Saturday night?—I have heard some establishments say that it was very beneficial, and that it was a great improvement to pay them on the Monday.

542. And there has not been any great increase of drinking in New York on Saturday nights any more than on any other nights?—I think there is more on Saturday night than on any other night, because the plan of paying workpeople on the Monday morning is not, as a general rule, adopted, although it has been adopted by many; but I think you will find that there is more drinking on Saturdays than on other days; the shops are kept open later, and people are out later.

The Very Rev. Dr. FITZGERALD, called in; and Examined.

2559. *Chairman*.] WHAT position do you fill in Limerick?—I am Administrator of the parish of St. John's, Limerick.

2560. Do you know what the population of the parish of St. John's, Limerick, is?—I should say about 10,000.

2561. It comprises a very large part of the town of Limerick, does it not?—Yes, it does.

2562. You have considered, I believe, very much this question of closing public-houses on Sundays?—Yes, I have.

2563. Or rather, I should say, stopping the

2543. And it is your opinion that the closing of public-houses early on the Saturday would be a great means of checking drunkenness on the Saturday night and on the following day?—The public-houses are not closed till midnight on Saturday; they are all closed at 12 o'clock on Saturdays and Sundays.

2544. But still there is more drinking on Saturday than on other nights?—Yes, it is a sort of holiday with us; a great many of the establishments stop work at 12, and some at two o'clock.

2545. And you find no difficulty at all in carrying out the law in New York on Sunday?—None at all.

2546. Do the people generally aid in carrying it out?—Some people do, and some do not. A great deal of money has been spent in our courts to get a decision from the courts that the law is unconstitutional.

2547. I suppose each public-house has a license, has it not?—Yes.

2548. And are there such things as illicit houses; that is to say, houses selling liquors without a license?—The police keep a close watch to prevent such houses being opened.

2549. Such a thing does occur sometimes as an illicit sale of liquors?—No doubt; it is just the same as stealing; you cannot always prevent a breach of the law.

2550. Mr. *Murphy*.] Are there any other houses in New York besides what we call public-houses which are houses whose trade is confined exclusively to the sale of liquors; are there such persons as spirit grocers, who have a license to sell spirits?—There are many grocers who sell spirits, wine, and beer.

2551. Have those grocers a license to sell wine and beer?—I think no one can sell wine without a license.

2552. Have they a license to sell spirits as well as beer and wine?—Yes, they have.

2553. Are they obliged to be closed on Sundays?—They are all closed on Sundays except the hotels.

2554. The law extends to them just as it does to ordinary public-houses, which sell nothing but spirits?—Exactly.

2555. Mr. *Pim*.] Is there any restriction on week days with reference to the hours of closing the public-houses?—No, not that I know of.

2556. The public-houses might be kept open the whole night, then?—Certainly.

2557. And you state that it is the habit to close the public-houses at 12 o'clock on Saturday night?—It is the law to do so.

2558. Previously to that law, would they keep them open to any hour?—They would keep them open as long as there was anybody to take the drink.

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sale of intoxicating drinks on Sunday?—Yes; I have considered that question.

2564. What is your opinion about that?—My opinion is, that it would be a great advantage to close the public-houses on Sundays.

2565. Altogether?—Yes, altogether; I think that most of the offences of our people, whether against order, or morality, or religion, and whether those offences are punishable by the civil law or not, are traceable, more or less, to the vice of intemperance.

2566. Can you say whether there is more drinking

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drinking on Sundays than on other days in the week?—I am sure there is.

2567. Would you inform the Committee with regard to the opinion of the people at Limerick on the matter, what in your belief would be the judgment of the majority of the inhabitants?—The subject has not been brought in any prominent way before the public, and therefore I cannot say that there is any strong active public opinion on the merits of the question; but I believe that, if the matter were referred to the citizens, a decided majority of the inhabitants, of the ratepayers, and of the burgesses, would be in favour of Sunday closing.

2568. I do not know whether there have been any petitions from Limerick on one side or the other, in reference to this matter?—There were no petitions from Limerick on one side or the other.

2569. There is one class of people whose attention must have been called to it by their brethren in the trade, namely, the publicans themselves?—The subject has been a good deal before the publicans themselves, and I have spoken myself to nearly all the publicans in St. John's parish, but not much to those in the other parishes of the city.

2570. Mr. *Monsell.*] How many publicans are there in your parish?—I think about 50, and these might be divided into three classes; one class completely in favour of Sunday closing, just as I am myself.

2571. *Chairman.*] What proportion would those bear to the whole class of publicans?—I have not made any close calculation, but I think one-third of them would be in favour of Sunday closing. Many of the trade in my parish, and throughout the city, are people who would be willing to sacrifice their Sunday profits in the interests of religion and morality. Then there is a second class who really would have a conscientious difficulty in opposing the law, but who would not feel themselves bound to come forward and petition for the law. If you add these classes together you will have three-fourths of the publicans in my parish who would either desire that law, or who would accept the law willingly.

2572. And there would remain a small number that you have not mentioned, who, I presume, would be opposed to it?—A very small number; I think the number in my parish who would actually petition against the Bill would be very small indeed; I should be surprised if there was any petition at all from Limerick against the Sunday closing.

2573. Are you aware whether members of the trade of publicans in other towns have been anxious to get up petitions against the Bill?—I am not aware of any agitation, either for or against the Bill.

2574. Are you quite certain of one thing, that there has been no agitation against it on the part of the publicans in Limerick?—I am quite certain that there has been no successful agitation against it.

2575. With regard to the labouring classes in Limerick, have you spoken to them on the subject of Sunday drinking, or are you in a position to state what the opinion of any large proportion of them is upon the subject?—I cannot say that I have consulted them on the subject, but I can form a fair idea of their opinions from my general knowledge of their character and dispositions. I think that the majority of the labouring classes

would, if consulted in their rational mood, and in their normal state, decide in favour of a measure which was sure to remove the occasion of many evils to themselves and their families. If, instead of consulting individuals, you take the opinion of families, and in a question affecting the interest of all alike this would be only fair, I am sure that there would not be a second opinion on the subject; all would be in favour of the Sunday closing.

2576. Am I right in understanding that, in your opinion, the majority of the heads of families—the men, if consulted calmly on the subject, would be in favour of closing?—I think if you called a public meeting of citizens generally, or of any particular class of citizens, the decision would be in favour of the Sunday closing.

2577. With those views, would you be in favour of making the total closing on Sunday, or the degree of closing, permissive by Act of Parliament, to be put in force by the votes of the majority of the householders in the city of Limerick?—I would be in favour of a Permissive Bill; but as to the mode of taking the opinion of the citizens, that is a question of detail on which I do not feel myself competent to make any suggestion to the Committee.

2578. Am I right in understanding you to state, that in taking the opinion of the citizens you would not think it necessary to take the opinion of the members of the families, but would be content to leave it to the opinion of the men of the community?—Yes, I would be content to leave the question to the men of the whole community, or to the men of any class of the community, or to any body, such as the corporation which is influenced by public opinion. By any of these courses you meet the objection that the law, however good, is not in harmony with public opinion.

2579. And you think that if the test could be applied in any one of these ways, public opinion in Limerick would be in favour of total closing?—That is my opinion.

2580. I want to take you through the different objections which are made to the Bill. In the first place, may I ask, would you consider it necessary that the restrictions should apply to all classes of houses in which intoxicating drinks were sold, as in public-houses, spirit grocers, beer-houses, and eating-houses where they sell drink, and confectioners, or any other shop which were licensed to sell drink?—Yes, certainly; to all houses where the abuses of which I complain would arise, that is, all houses where people would be tempted to spend the money which was necessary for the support of their families.

2581. Then, in the first instance, do you think that there is any considerable proportion in Limerick of the lower classes who are dependent on eating-houses for their meals on Sundays?—I think there are none, or, at least, very few; I think I may say that there are none.

2582. For instance, the class of clerks in mercantile establishments, and assistants in shops where do they generally get their meals?—They live with their families, or at their lodgings.

2583. And with their families, or at their lodgings, they get their meals?—Universally; I hardly know an exception to that rule; there may be exceptions, but I know of none.

2584. With regard to that class which exists largely elsewhere, namely, Sunday excursionists, is it the practice of the working classes, or those
a little

little above them in Limerick, to go out into the neighbourhood with their families to enjoy themselves in the summer?—We have that class, but not to a great extent; the excursionist season is short with us, and the number of those who avail themselves of it is comparatively small; and with regard to the tradesmen and labourers, I think that such of them as can afford this enjoyment to their families are just the members of their class who are least in the habit of frequenting public-houses on Sundays, and who, from their general habits of foresight and economy, would be most likely to make their arrangements beforehand; they are also the persons who are most keenly alive to the evils of the public-house, and who, therefore, would be only too glad to be free from the slight burden of a law which removed from the younger members of their families the occasion of so many evils and miseries. It cannot be denied that the law would entail some inconveniences, but the points to be considered are, what comparison do these partial inconveniences bear to the general good, and also what are the opinions of the classes who would be seriously affected by the law; I mean those whose profits or whose enjoyments would be necessarily lessened. Applying these tests, I give, myself, no doubt what would be the result in the city of Limerick; and as I am dealing with facts, I wish the Committee to understand at my evidence is to be applied solely to the community with which I am acquainted.

2585. Are you aware whether there is any considerable class of men in Limerick less amenable to good order than the others, either foreign sailors coming into the port, or stray workmen, who you think would, if deprived of the opportunity of drinking in public-houses, seek in some way of getting drink, either by unlicensed houses or by some other illegitimate means?—I think it is very difficult to reclaim an habitual drunkard, and I think any legislation would fail in that point, but I am dealing with the class, who drink not from habit or from malice prepense, but rather through human weakness, or from their naturally social dispositions; I think that such a law as is proposed, would have the most powerful effect upon that class, but with reference to habitual drunkards, they would find some way for the indulgence of their sinful propensities.

2586. Do you know whether there is any considerable amount of drinking which goes on during the prohibited hours on Sunday morning in Limerick?—I think there is after 11 o'clock on Saturday night; but this takes place at a time when public opinion cannot be brought to bear on the offenders.

2587. What are those hours?—From 11 o'clock at night till the morning the people are drinking at the public houses, and are allowed to remain there; if you have a complete Sunday closing, very often offences would be committed in the afternoon, and public opinion could be brought to bear upon the individual, and the grocers themselves could be brought to bear upon each other in regard to infractions of the law; that was stated to me by some of the grocers whom I consulted on the subject.

2588. What do you consider is the worst period for drinking on Sunday; is it the last hour in the evening?—Yes, I think so, the later the hour the greater the evil, because public opinion cannot be brought to bear upon the offender at that time.

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2589. Would it be a considerable gain if public-houses were closed, say at eight or nine on Sunday evenings?—Decidedly; any curtailment, I think, would be a gain to the cause of morality, religion, and order, but I would be for complete closing, leaving the application of the Bill to some local body.

2590. Would you prefer leaving the application of the Bill entirely voluntary, that is, leaving the hours as at present, from two to eleven, but subject to any curtailment, or to total closing by the free action of some local body?—I would be for total closing, leaving the application of the law to some local body.

2591. Mr. *Monseil*.] It has been stated here by one of the witnesses, that the true remedy was to be found, not so much in the present legislation as in the moral conviction of the masses, of the evil and disastrous consequences which follow from drunkenness; do you consider that the course you suggested would be the best mode of giving effect to the general public opinion of the masses of the people, and that if there were to be no power placed in the hands of that majority, to control the vicious minority, the vicious minority would go on selling drink, and drunkenness continue?—Certainly.

2592. Therefore, however strong public opinion may be in the place on the part of the majority, a small minority, if uncontrolled by legislation, would have the power of defeating the object which the moral majority desired to effect?—Certainly, that was felt some time ago, when a movement in favour of voluntary closing was originated. The great body of the publicans were willing to join the movement, but it was felt that the minority, however small, could defeat any such movement, and therefore the project was abandoned.

2593. On the other hand, you would be entirely opposed to imposing any restrictions that were not supported by the public opinion of the locality in which they were introduced?—Yes; I think it is an evil to pass a law which will not be sustained by public opinion.

2594. Would you consider that if, for instance, the municipal body in Limerick were given the power to adopt a law enforcing the closing of public-houses, and they were to exercise that power, there would be any danger of the licensed public-houses being superseded on Sundays by a number of unlicensed and irresponsible drinking places?—I think that with increased activity on the part of the police, and also with a desire on the part of the trade to protect themselves, the evil could be met; and there would also be the force of public opinion.

2595. You mention, I think, that you had gone round amongst the publicans of your parish, and that you know tolerably well their opinion?—I did that two years ago.

2596. Supposing it were left to the publicans themselves to decide as to whether this law should be adopted, how do you think they would decide?—I am quite sure the majority of the publicans in my parish would, in the interest of religion and morality, make a sacrifice of their gain, and I have reason to think that the same feeling does prevail amongst publicans in the other part of the city, but this I know only through others.

2597. Are you aware whether there was any declaration upon the subject of closing public-houses on Sunday made by any number of the,

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Roman Catholic Bishops in Ireland?—I am aware that there was.

2598. Will you be so good as to read that declaration?—"To Members of Parliament representing Irish Constituencies.—We, the undersigned Archbishops, Bishops, and Clergy of Ireland, most respectfully intimate to the Irish Members of the House of Commons, that we believe it would be highly conducive to public order, to morality, and to religion, if the Sunday traffic in intoxicating liquors were prohibited by law; we therefore entreat their support of Mr. Somes' motion on the 6th May next for effecting that object."

2599. Lord *Claud Hamilton.*] I think the signatures appended to that declaration are those of the leading Bishops of Ireland?—Yes, they are these:—"Paul Cullen, D.D., Archbishop of Dublin; Joseph Dixon, D.D., Archbishop of Armagh and Primate; D. O'Brien, D.D., Bishop of Waterford; M. O'Hea, D.D., Bishop of Ross; John Kilduff, D.D., Bishop of Ardagh; P. Durcan, D.D., Bishop of Aconry; Francis Kelly, D.D., Bishop of Derry; Hamilton Verschoyle, D.D., Bishop of Kilmore; L. Gillvoly, D.C., Bishop of Elphin; T. Furlong, D.D., Bishop of Ferns; John MacEvilly, D.D., Bishop of Galway; William Whelan, D.D., Bishop; William Meagher, V.G., P.P., of Dubin; B. Woodlock, Rector of the Catholic University of Ireland; James Canon Redmond, P.P., Arklow; James Murray, D.D., Secretary to the Archbishop of Dublin; A. O'Connell, D.D., P.P., of St. Mary's, Dublin; M. Quinn, D.D.; John Spratt, D.D., Provincial of Ireland."

2600. Mr. *Murphy.*] How many Roman Catholic Bishops are there in Ireland?—Twenty-eight.

2601. Mr. *Pim.*] You stated that you thought if the thing were left to the decision of the town council they would decide in favour of closing?—That is my opinion.

2602. I wished to ask you whether you thought that the municipal body would feel that the responsibility of the decision of such a large public question was too heavy for them, and would object to such a responsibility being thrown upon them?—I think they would not.

2603. Lord *Claud Hamilton.*] You have spoken with regard to public opinion, I should like to know your view with respect to the majority of female opinion. Do you not think that the majority of the mothers, wives, and sisters of the men in your parishes would be glad to see the temptation removed?—Almost universally.

2604. Do you not think that the removal of the temptation and the evils that ensue from it, would tend greatly to advance female comfort and domestic enjoyment?—Certainly.

2605. And you can have no doubt that female comfort and domestic enjoyment do tend to advance the religious, educational, and social advancement of the population?—Certainly; for example, the duties of parents towards their children would be better attended to. Frequently at present parents cannot send their children to school, and cannot attend Divine service themselves, for want of clothes. Not only does the intemperate man neglect Divine service himself, but, indirectly, he is the cause of similar neglect on the part of his wife and children.

2606. You have stated that you think female opinion would be universally in favour of such closing, and that it would tend to the moral and

social elevation of the people?—I have not the least doubt of it.

2607. You stated that you presumed that the habitual drunkard would, somehow or other, find means of indulging in his vicious propensity; do you not think, from your observation, that those habits of the habitual drunkard are very much acquired from the neglect of the Sabbath, rather than from any excess on week days?—Yes; those men on Saturday have the prospect of an idle day before them, so they go to the public-houses after their work, without the intention of committing any excess, but they stay longer than they intended; and, in consequence of this, they neglect Divine worship on the Sunday, and are often unable to return to their work on Monday. I am convinced that the passing of this law would lessen the number of such cases. I think it would be impossible to exaggerate the public good that would result from the total closing of public-houses on Sunday, if the movement was sustained by public opinion.

2608. Mr. *Stacpoole.*] This paper was signed by 11 bishops and archbishops, but had the remainder of the 28 bishops you spoke of been asked to sign it?—I am sure they could not have been, because I do not see the name of my own bishop. I know he would have signed it, because he put me in motion to speak to the publicans some years ago in reference to the voluntary movement. I do not know any ecclesiastic or bishop that would be against this movement, or in fact any religious man in the community.

2609. Mr. *Murphy.*] You stated that the population of St. John's parish had 10,000?—More or less.

2610. Are you prepared to form an opinion as to what proportion the working men and the labouring classes bear towards the total population?—I have not any statistics, and I should therefore be very unwilling to give an opinion. I know that my parish comprises some of the poorest parts of the city, such as are usually inhabited by the labouring classes.

2611. Consequently, the greater proportion of that population of 10,000 would be formed of the labouring classes?—I think the greater part of the labouring classes live in my parish, but I should be sorry to give an opinion as to what proportion they bear to the rest of the population.

2612. Of course they bear a greater proportion to the population of your parish than they do to the population of any other?—With the exception of perhaps St. Mary's.

2613. Would you say that one-half were of the labouring classes and small tradesmen?—I think so.

2614. Generally speaking, are those classes industrious, well-ordered, and honest labouring men?—I think they are fairly so.

2615. Have you been able at all to form an opinion, not particularly, but generally as to what the proportion of drunkards is amongst them, as compared with the rest of the population?—I cannot give you the least idea of that.

2616. You could not say whether there are more or less; the majority, I presume, are not drunkards?—I am sure they are not.

2617. I may take it for granted that a very large minority of them are drunkards?—I think the habitual drunkards are a very small minority only.

2618. Now we will come to another class; are there a great number of tipplers who are not drunkards?

drunkards?—I think there are many who drink on Sundays and Saturdays who do not commit the sin of drunkenness, but who still spend more than is good for themselves or their families.

2619. Is that a large proportion?—I think there is a large proportion of that class.

2620. What do you call a large proportion?—I have a great difficulty in getting into any question of statistics.

2621. I was asking a general question; you must know the proportion perfectly well?—I should say a large number of them go to the public-houses on Sunday, but what proportion they bear to the rest of the community I cannot say.

2622. Do they commit excess on Sundays?—Not perhaps against the Divine law, but they sin against their families. They do not commit the theological sin of drunkenness, but they sin against society.

2623. Any one who spends money which he ought not to do does that; but is there any such marked abuse of drinking amongst a larger section of that population as would direct public attention to it?—I think there is.

2624. What proportion of them?—I cannot say that.

2625. Supposing the population of labouring men is five thousand, would you say that the proportion is one-fifth or one-tenth?—I would rather not hazard an opinion where I have no reliable data.

2626. You surely can form some opinion from your knowledge of those classes. I do not want the statistical number, but what proportion of these men numbering, we will say, 5,000, go habitually to public-houses on Sunday, and spend more money than they ought to?—I really could not say that.

2627. I may take it for granted that they are a minority of the population?—Yes.

2628. A large minority of that population?—Yes.

2629. Are you prepared to say whether drunkenness has been decreasing for some years past?—I think there is a great decrease since last Christmas; that is the result of a religious movement on the part of the Redemptorist Fathers.

2630. Can you carry your mind back to the extent of three or four years?—I should think it was rather on the increase up to that time.

2631. From four or five years previously?—Yes.

2632. But during the last few months, owing to this impression made upon them by the Redemptorist Fathers, there has been a change?—The temperance movement has been very successful.

2633. Lord *Claud Hamilton*.] They specially turned their attention to that?—They specially turned their attention to that; it was a mission to the labouring classes, and they have formed a permanent organisation, so as to preserve the fruits of the mission.

2634. Mr. *Murphy*.] Your decided impression is, that the remedy for this evil would be a total closing?—I am decidedly in favour of total closing; I think great good would result from it to the community.

2635. Do you not think that if there was only a partial closing on Sundays, opportunities would be afforded of procuring drink to that particular class whom you would be desirous to improve?—I think that any curtailment, as I have stated

already, would be an advantage, but complete closing, I think, would be the best measure.

2636. The complete closing on Sunday of every house that sold liquor?—Of every house where those abuses were likely to arise.

2637. But we cannot well designate them. If one class of houses were closed and another class were left open, would not those parties who wished to procure drink go to those houses?—That case is contemplated in my answer.

2638. Major *Gavin*.] I think you were a long time in St. Mary's parish, were you not?—I was.

2639. I think, as far as my knowledge enables me to say of Limerick, St. Mary's and St. John's are the parishes where the greater number of workpeople reside?—Yes, in those two parishes.

2640. From your experience of those two parishes, can you say whether the distress which has prevailed considerably there for the last three or four years, has been principally brought on by excess in drinking?—I think that distress in many cases does arise from drinking in the way I have already stated, that is to say, that people waste their earnings in the public-houses, and then the poverty of the family follows, and also, in many cases, the loss of their employment.

2641. They generally get their wages paid on the Saturday, and, as I believe, the evil commences on the Saturday, does it not?—Yes.

2642. And continues on the Sunday?—Yes.

2643. And do you think that if the houses were closed earlier on the Saturday, that practice would be checked?—I think it would be a decided advantage to close early on the Saturday.

2644. Now, on the other side of the question, do you suppose that if all the public-houses were closed on the Sundays, and closed earlier on Saturdays, there would be a feeling of jealousy on the part of the middle classes when they saw that the gentry and those above them were able to enjoy themselves in clubs and hotels?—I do not think that they would when the matter was explained to them, and when they saw it was done for their advantage. I think that the labouring classes would themselves desire to remove the temptation from themselves; and the end of this law, if passed, would be, not to remove from them any reasonable enjoyment, but to remove from them an occasion of evil to themselves and their families.

2645. You are quite convinced that religion has made such an impression upon them, that they would see the necessity of aiding and assisting the law, the carrying out of which would be an advantage to themselves and their families?—I think that that, combined with the influence of public opinion, would lead them to labour, and labour successfully in that way.

2646. Do you think there would be any difficulty in carrying out, if the Bill was passed, the total closing in Limerick and its neighbourhood?—I think that there would be no serious difficulty in carrying out the law.

2647. We have had evidence that, in the event of such a law passing, it would require an increase of police?—It might require an increase of police; but, I think the difficulty could be surmounted by increased vigilance on the part of the police, and by increased activity on the part of the directors of public opinion.

2648. And you have no doubt that if a Bill was passed for totally closing public-houses on Sunday, it would meet with the general approval of the people of Limerick?—I think so; my suggestion would test that; if the Bill be

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permissive, then the people would have an opportunity of accepting it, or of rejecting it, according to their own judgment and wish.

2649. *Chairman.*] You have been pressed to give an opinion with regard to what was the definite proportion of the labouring classes who were habitually tipplers, or who habitually spent more money in drink than they ought to, having due regard to their social duties; and you declined to give any opinion as to what proportion came under that description. Still, would you say that a large proportion of the working-classes, to your knowledge, not perhaps habitually, but occasionally, do waste a considerable part of their earnings, more than they themselves afterwards, in their calmer moments, would approve of, in public-houses on Sundays?—I am quite certain of that.

2650. *Major Gavin.*] I think you stated that you were afraid drinking had increased in Limerick in the last four years?—I rather think so.

2651. *Mr. Pollard-Urquhart.*] What time on Saturday evening are the wages generally paid in Limerick?—I think they are generally paid at two o'clock; in many cases they are paid on Fridays. I am confident that all the employers would be quite ready to regulate the hour of payment, so as to meet the wants of those in their employment.

2652. It has been stated by other witnesses that early closing on Saturday evening might put people to inconvenience and difficulty in

getting change for their wages in the public-houses; do you think that would be likely to happen?—No; because I think there is hardly an employer in Limerick who would not pay on Friday, if it was for the convenience of the people to do so, and, as a matter of fact, very many of the employers at present do pay on Fridays.

2653. *Mr. Murphy.*] Are you aware whether there are any shops in Limerick called spirit grocers, grocers who have a license to sell spirits?—Yes, there are.

2654. Are you aware that the law prevents them from selling spirits for consumption on the premises?—I am.

2655. Has it come to your knowledge at all that, notwithstanding that, they do sell drink for consumption on the premises?—I have heard that, but I am not prepared to prove it.

2656. Do you think it likely, if a law was passed closing public-houses altogether, and leaving those houses open to sell not for consumption on the premises, that that class of persons would take advantage of the law, and sell?—I should advocate the universal application of the law, and close them all.

2657. You would close spirit grocers, and all?—Yes.

2658. Even although spirit grocers were not licensed to sell for consumption on the premises?—Yes.

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A P P E N D I X.

Appendix, No. 1.

App. No. 1.

RETURN from COMMISSIONERS of METROPOLITAN POLICE, DUBLIN.

RETURN showing the Number of Cases of DRUNKENNESS in each of the Years 1862, 1863, 1864, 1865, 1866, and to 31st May 1867; also the Number of Cases of DRUNKENNESS on SUNDAYS, in each of the above Years, holding Sunday to mean from 7 p.m. on Saturday to 10 a.m. on Monday; also, the Number on Sunday proper, *i.e.*, from 12 on Saturday Night to the same Hour on Sunday Night.

Y E A R S.	Number of Prisoners in each Year.	Number Arrested from 7 P.M. on Saturday to 10 A.M. on Monday.	Number Arrested from 12 o'Clock Saturday Night to 12 o'Clock Sunday Night.
1862 - - - - -	11,730	4,610	2,816
1863 - - - - -	13,657	5,568	3,400
1864 - - - - -	17,150	6,541	4,141
1865 - - - - -	16,192	5,628	3,226
1866 - - - - -	11,321	4,685	2,712
1867, to 31st May - -	3,063	1,321	804
TOTAL - - -	73,113	28,353	17,099

From September 1865 to the present time, owing to the disturbed state of the metropolis, the police have been very much engaged in other duties; and those employed on street duty patrol in pairs, which will partially account for the lesser number of prisoners.

Appendix, No. 2.

(A.)

DUBLIN METROPOLITAN POLICE DISTRICT.
(Distinguishing Municipal Borough.)

RETURN of the Number of PUBLIC HOUSES, SPIRIT GROCERS (who illegally sell for consumption on their Premises), and BEER DEALERS within the above District in the Year 1867; the Number of such Houses closed during the whole of Sunday; the Number of Complaints for Violation of the Law, and Number of Licenses cancelled therefor; also the Number of Cases of Drunkenness, distinguishing those on Sunday and Monday respectively, in that Year; the Population of the District, and Percentage of Drunkenness, &c.

Description of Traders.	Number within the Municipal Borough of Dublin.	Number outside the Borough.	Total Number in the Metropolitan Police District.	Number of Houses Closed during the whole of Sunday.	Number of Complaints for Illegal Trading on Sunday.	Total Number of Complaints, including Sunday Cases, in the Year.	Number of Licences Cancelled in the Year.	Number of Licences Cancelled, but Renewed in the Year.	Total Number of Cases of Drunkenness in the Year 1867.	Number of Cases on Sunday 12 o'clock to 12 o'clock Saturday Night to 12 o'clock Sunday Night, Monday Night.)	Number of Cases on Monday (from 12 o'clock Sunday Night to 12 o'clock to 12 o'clock Monday Night.)	Population of Municipal Borough of Dublin.	Population of Metropolitan Police District.	Per-centage of Drunken Cases.	Per-centage of Sunday Drunken Cases.	Per-centage of Monday Drunken Cases.
Public-houses, Vintners -	784	217	1,001	73	191	924	1	-	11,625	2,877	1,873	290,000 about.	300,000 about.	4 per cent. nearly.	1 per cent. nearly.	2/3rds nearly.
Spirit Grocers (who sell for illegal consumption on the premises).	81	7	88	*76	68	114	-	16	Sunday cases better than one-fourth of total number. Monday cases better than one-sixth.							
Beer Dealers -	177	89	266	-	271	463	129	61								

- 57
- 79
- 21
- 41
1. Suburban parts of the police district; number of public-houses frequented by persons from the City on Sundays - - - - -
 2. Number of hotels, taverns (including dining rooms), and cigar shops (2), holding spirit retail licenses, *i. e.* publicans' licenses - - - - -
 3. Number of wine licenses (under Act of 1860) held in Dublin - - - - -
 4. Number of public-houses in the police district frequented, and principally supported, by soldiers and sailors - - - - -

- 193
- 195
- 226
- *5. Total number of spirit grocers in police district - - - - -
6. Number of spirit grocers holding beer licenses - - - - -
7. Number of beer licenses held by provision dealers - - - - -
8. The majority of beer-house dealers are represented by the police as habitually violating the law: the houses are situate in low back streets and lanes.

(B.)

DUBLIN METROPOLITAN POLICE.

STATISTICS of DRUNKENNESS in the DUBLIN METROPOLITAN POLICE DISTRICT, from 1859 to 1866 inclusive; distinguishing Sunday Cases and Monday Cases in each Year from 1862.

YEARS.	Number Arrested in each Year.	Number Arrested from 7 p.m. each Saturday to 10 a.m. each Monday in the Year.	Number Arrested from 12 each Saturday Night to 12 each Sunday Night in the Year.	REMARKS.
1859 - -	10,330	- -	- -	Under the Wine Licenses Act, passed in 1860, two hours on Sunday night, and two on Monday morning, were added to the legal hours on those days, thus restoring to public-houses the hours prescribed by the 3 & 4 Will. 4, c. 68, passed in 1833.
1860 - -	9,787	—	—	
1861 - -	9,203	—	—	
1862 - -	11,730	4,610	2,816	
1863 - -	13,657	5,568	3,400	The Beer House Act, 27 & 28 Vict. c. 35, was passed in 1864. The evils resulting from the reckless drinking carried on in beer-houses on Saturday nights and Sunday mornings having been urgently pressed on the attention of Government, this Act was passed.
1864 - -	17,150	6,541	4,141	
1865 - -	16,192	5,628	3,226	
1866 - -	11,321	4,685	2,712	

The decrease in 1865, and subsequent years, may be ascribed to the Beer House Act in some measure, and also to the exigent duties of the police in regard to the political movement which for the last three years has existed in Ireland.

(C.)

NUMBER of DRUNKEN CASES in *Dublin* from 6 p.m. Saturday, 2nd May, to 12 night, Sunday, 3rd May 1868, viz. :—

Number from 6 p.m. to 9 p.m. on Saturday, 2nd May -	-	18
„ 9 to 12, same night - - - -	-	16
„ 12 same night to 6 Sunday morning - -	-	31
„ 6 Sunday morning to 2 p.m. - - - -	-	9
„ 2 p.m. to 12 same Sunday night - - -	-	19
TOTAL - - -	-	93

Number of Drunken cases on St. Patrick's Day, 1868 - 47

Appendix, No. 3.

App. No. 3.

PAPER laid before the Committee by the Earl of *Mayo*, a Member of the Committee.

To His Excellency the Lord Lieutenant.

May it please your Excellency,

Douglas Petty Sessions,

23 April 1868.

WE the undersigned magistrates of the Douglas Bench, are of opinion that it would be desirable, and tend to the peace and good order of the barony of Cork, if all the public-houses were closed at the hour of 8 o'clock p. m. daily; and we therefore pray that your Excellency will be pleased to take the matter into your consideration.

D. Romayn Sarsfield.

Ed. Eyre Newenham.

Geo. White.

John S. Haines.

George Bond Low.

J. H. Bainbridge.

R E P O R T
FROM THE
SELECT COMMITTEE
ON THE
SALE OF LIQUORS ON SUNDAY
(IRELAND) BILL;
TOGETHER WITH THE
PROCEEDINGS OF THE COMMITTEE,
MINUTES OF EVIDENCE,
AND APPENDIX.

*Ordered, by The House of Commons, to be Printed,
26 May 1868.*

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S E L E C T C O M M I T T E E

ON THE

SALE OF LIQUORS ON SUNDAY
(IRELAND) BILL.

*Ordered, by The House of Commons, to be Printed,
26 May 1868.*

I N D E X.

[*N.B.*—In this Index the *Figures* following the Names of the Witnesses refer to the Questions in the Evidence; and those following *App.* to the Pages in the Appendix.]

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B.

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Great room for improvement in the state of the vintner's trade at Cork when the Cork Vinters' Society was formed about eleven years ago: successful efforts of the society to improve the value of licenses and to put down shebeen-houses, *Barry* 1811-1832. 1899-1905—Statement as to drinking on Sunday taking place chiefly at suburban or rural public-houses, and not in the City of Cork, *ib.* 1833-1842. 1908-1933. 1979-1981. 1984—Conclusion as to drunkenness having decreased in Cork of late years, *ib.* 1871-1874. 1883, 1884—Duty of the Secretary of the Vintner's Society in regard to the suppression of disorderly or illegally conducted public-houses, *ib.* 1875, 1876—Very little drunkenness in Cork on Sunday as compared with Saturday evening, *ib.* 1885-1889. 1908-1912.

Very little drinking in Cork on Sunday, *Healy* 2052—Explanation relative to the large reduction in the cases of drunkenness during an exceptional period when the public-houses were closed at six on Sunday, *ib.* 2104. 2105. 2111—Increased consumption of beer and spirits, though the drunkenness has not increased, *ib.* 2122-2129—Conclusion that the Bill would be of no material benefit to the general public in Cork, whilst it would be grossly oppressive to a very large class, *ib.* 2146-2149.

Memorial of magistrates of the Douglas Petty Sessions praying that the public-houses be closed at 8 p.m. daily, *App.* 136.

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Corr, Richard. (Analysis of his Evidence.)—Superintendent of the Dublin police; has had 30 years' experience in the force, 1642-1645—Decrease of drunkenness in Dublin within the last few years, 1646, 1647—Less drunkenness on Sunday than on other days, the cases dealt with on Monday arising chiefly on Saturday night, 1648-1652—Objection to closing the public-houses in Dublin on Sunday, as the result would be a large amount of illicit drinking, 1653-1655. 1683, 1684—Approval of the hours of opening being from three to nine, and of all houses where liquor is sold being included in this regulation, 1656-1661.

Objection to publicans and spirit grocers being required to close earlier than half-past ten on Saturday night, as marketing is largely carried on up to that time, 1662-1668. 1703-1709—Great evil under the present system of revenue licenses to spirit grocers and beer-sellers, as facilitating excessive drinking at prohibited hours; expediency of one uniform system of license, 1669-1682. 1685-1689—Facility presented to Fenian agents through the public-houses being open on Sunday, 1690-1692.

Objection to the proposal that the publican should have larger authority and be more fully accountable upon the question of selling drink in excess to anyone, 1693-1702—Large evasion of the Bill, and very objectionable practices, if it be enacted that drink sold on Sunday is not to be consumed on the premises, 1710-1716—The hours of opening should be continuous, 1714.

Country Districts. Opinion that in country districts the sale of drink on Sunday may be altogether prohibited with advantage and without any serious hardship, *Lyons* 711-715. 736. 774. 785-792—Much greater facility in carrying out a prohibition upon Sunday trade in liquors in rural districts than in towns; advantage in such districts of the moral influence of the Roman Catholic clergy, *J. C. O'Donnell* 962-969. 1016-1029—Less objection to total closing on Sunday in the county than in Cork, *Hamilton* 1125, 1126—Doubt as to the feeling in rural districts upon the question of Sunday restrictions, *Carey* 1534, 1535.

Crime. Conclusion that if the Bill be passed there will be a great decrease of intemperance, and that the public morals and public safety will be largely benefited, *Wigham* 72-85—Important diminution of crime as well as of drunkenness in Cashel diocese, where the public-houses are voluntarily closed on Sunday, *Rev. Dr. Leahy* 446—Very demoralising effect of the public-houses in rural districts in the north through being open on Sunday, *Berkeley* 1327-1329—Belief that nine-tenths of the crime throughout Ireland may be attributed to drink, *O'Shaughnessy* 2367.

D.

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Facilities through means of the public-houses for the spread of disaffection and of Fenianism, 136-139. 168-170. 197, 198—Concurrence in a certain petition from Clonmel that the Bill should not include Good Friday and days of thanksgiving of the Roman Catholic Church as well as Sunday, 140-142—Advantage if the fairs and markets now held on holidays were transferred to the next working day, 142, 143—Conclusion that the voluntary closing system in Tipperary is agreeable to the great majority of the population, 144.

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Drogheda. Opposition in Drogheda to the Bill, *Carey* 1587, 1588.

Drunkenness. Conclusion that if the Bill be passed there will be a great decrease of intemperance, and that the public morals and public safety will be largely benefited, *Wigham*

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Great improvement within witness's experience in the moral habits of the lower classes; much less intemperance than formerly, *Porter* 1389-1393—Statement that the amount of intoxication upon Sunday is not a crying evil, and is not on the increase, *Miller* 1746. 1765—Doubt whether there is more drinking on the afternoon or the evening of Sunday, *Barry* 2035-2044—Decrease of drunkenness upon the extension of the hour from nine to eleven o'clock, *O'Ferrall* 2466. 2498-2500—Difficulty in reclaiming habitual drunkards by legislative restrictions; belief that the number of this class would be lessened by Sunday closing, *Fitzgerald* 2587, 2588. 2607.

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Dublin. Statistics of the amount of drunkenness in Dublin since the year 1862; large proportion of cases which occur on Sunday, *Wigham* 42-49—Considerable diminution apparently in the number of cases since 1865; explanation on this point, *ib.* 50-54.

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Decrease of drunkenness in Dublin within the last few years, *Corr* 1646, 1647—Less drunkenness on Sunday than on other days, the cases dealt with on Monday arising chiefly on Saturday night, *ib.* 1648-1652—Strong feeling on the part of the tradesmen of Dublin against the Bill, *Keegan* 2152. 2181-2188—Considerable amount of illegal drinking on Sunday morning in Dublin, *ib.* 2153. 2163-2167.

Decrease of drunkenness in Dublin, as the people have become more educated and better off, *McCabe* 2197-2199—Considerable amount of drunkenness still to be seen on the evenings of Saturday and Sunday, *ib.* 2200-2203. 2214—Belief as to there being much illicit drinking in Dublin before two o'clock on Sunday, *ib.* 2216-2219—Temporary success of an attempt to close voluntarily the public-houses in Thomas-street on Sunday, *ib.* 2219, 2220—Inadequacy of the present supervision in regard to the sale of drink on Sunday morning, *ib.* 2248-2255. 2271. 2306-2308.

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See also *Beerhouses*. *Excursionists*. *Licenses*. *Petitions*. *Publicans*. *Spirit Grocers*. *Working Classes*.

E.

Eating-houses, &c. Doubt as to people resorting to confectioners' shops and eating-houses for the sale of drink, if they could not obtain it at public-houses; the former places should, however, be embraced in the same law as the latter, *De Gernon* 225-234. 256-258—Prohibition in Cashel diocese upon the sale of liquors in eating-houses and hotels as well as public-houses, *Rev. Dr. Leahy* 455.

Concurrence of opinion in favour of including eating-houses, refreshment rooms, &c., in the law as to Sunday closing; evasion and dissatisfaction if all plans for the sale of drink are not treated alike, *Pillsworth* 699, 700; *Hamilton* 1100-1102. 1106; *H. O'Donnell* 1163. 1193-1195; *Berkeley* 1359; *Carey* 1621-1624. 1633-1639; *Miller* 280-I.

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1724, 1725. 1757-1761; *Barry* 2031-2034; *Healy* 2056. 2076, 2077. 2091-2093; *McCabe* 2269. 2270.

Statement in favour of eating-houses being still allowed to be open on Sunday, and to supply drink; check through the license upon any abuse, *J. C. O'Donnell* 945-953. 980 —Belief that but little inconvenience would arise if the Dublin eating-houses were only open from two to five, as regards the sale of drink, *H. O'Donnell* 1196-1202. 1229-1250 —Question as to the mode of dealing with the eating-houses further considered; probable evasion of the law if allowed to be open longer than public-houses, even though subject to penalties for selling drink after a certain hour, *ib.* 1229-1241. 1265-1267. 1283-1292. 1305-1311 —Little, if any, inconvenience in Armagh, Lurgan, &c., through people not being able to frequent eating-houses on Sunday, *Miller* 1729. 1740, 1741.

Ecclesiastical Law (Voluntary Closing). Non-adoption in other dioceses of the same plan of voluntary closing as in Cashel diocese, the bishops being apprehensive of failure, *Rev. Dr. Leahy* 420, 421.

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Employés (Public-houses, &c.) Very long hours of daily labour of assistants in public-houses and grocery establishments, so that a curtailment of the hours on Sunday, or total closing on that day, would be a great boon to a numerous class, *Sullivan* 552-555. 567; *Ralph* 646-662; *Lyons* 784. 793-797; *H. O'Donnell* 1166-1183. 1270-1281; *Berkeley* 1337-1343; *Healy* 2113-2115; *McCabe* 2241-2247 —In some instances the grocery houses in Dublin are open from four in the morning till eleven at night; the majority open at seven in the morning, *H. O'Donnell* 1168-1173.

Doubt as to the expediency of any legislative measure for the protection of those employed in public-houses, as regards their hours of labour, *Porter* 1441-1444 —Long hours of labour of the assistants in witness's employment; objection to any legislative interference, *Carey* 1550-1552. 1616-1629 —With regard to the very long hours of labour of publicans and their assistants in Cork, witness questions whether there is much complaint made on the subject, *Barry* 1964-1974.

Evasion of the Law. Belief that the practice of clubbing together for the purchase of drink would but slightly increase if public-houses generally were closed on Sundays, *De Gernon* 158-167. 213-215. 220-224; *Pillsworth* 692-699; *Lindsay* 925 —Belief that if compulsory closing were made general by law, there would be but little evasion on the part of the people, *Ryan* 294 —Very little evasion of the voluntary law in force in Cashel diocese, *Rev. Dr. Leahy* 394.

Probability of some evasion of a law for compulsory closing, though many houses would observe the law, *Pillsworth* 680 —Doubt as to any benefit arising from the existing restrictions, as those who are inclined to drink contrive to do so at illicit hours, *Porter* 1380-1382 —Belief that the middle and lower classes would readily conform to a law which was meant for their good, *Fitzgerald* 2644-2648.

See also *Consumption on Premises.* *Illicit Traffic.* *Private Drinking.* *Spirit Grocers.*

Excise Regulations. See *Licenses.*

Excursionists. Inconvenience to excursionists in the suburbs of Dublin if unable to procure beer, &c. in the evening of Sunday, *Porter* 1457-1461 —The Bill would be exceedingly injurious to the publicans in the districts around Cork frequented by excursionists on Sunday, *Barry* 1833-1842. 1898. 1908-1933; *Healy* 2047-2053 —Inconvenience also excursionists, *Barry* 1851. 1975 —Large numbers of the trading class of Dublin who go into the suburbs on Sunday, and to whom the proposed restrictions would cause great inconvenience and irritation, *Keegan* 2153.

Slight inconvenience anticipated as regards excursionists into the suburbs of towns if the publichouses were closed, *Miller* 1733-1739. 1776-1785 —Limited inconvenience to be experienced by the excursionist class at Limerick in the event of total closing, *Fitzgerald* 2584.

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F.

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Fenianism. Facilities through means of the public-houses for the spread of Fenianism, *De Gernon* 136-139. 168-170. 197, 198. 250, 251; *Ryan* 372—Absence of Fenianism in Wexford, owing partly to the closing of public-houses on Sunday, *Ryan* 372-379—Doubt as to the opening of public-houses on Sunday having any effect in facilitating disaffection to Government, *Porter* 1484, 1485—Facility presented to Fenian agents through the public-houses being open on Sunday, *Corr* 1690-1692.

Fernes Diocese. Voluntary closing on Sunday in the Roman Catholic arch-diocese of Fernes, *Wigham* 113. 115-117—Operation of the system of voluntary closing of public-houses on Sunday in the diocese of Fernes through the influence of the Roman Catholic bishop, *Ryan* 284, 285—Very beneficial operation of the system, *ib.* 285 *et seq.*—Closing of the public-houses in Fernes diocese on holidays as well as Sundays, owing to the influence of the bishop, *ib.* 288-291—Satisfaction of the people with the system in question, the publicans also being well pleased with the arrangement, *ib.* 293.

Field, Cyrus. (Analysis of his Evidence.)—Prohibition in force for the last two or three years upon the sale of liquors in New York on Sunday; very salutary operation thereof in diminishing drunkenness and crime, 2514 *et seq.*—Effectual check through the New York police upon the illegal sale of drink on Sunday, 2537-2539. 2548, 2549—Considerable drinking on Saturday night in New York, the public-houses being open till twelve o'clock; advantage hereon in wages being paid by some employers on Monday, 2540-2544.

Fitzgerald, The Very Rev. Dr. (Analysis of his Evidence.)—Is administrator of St. John's parish, Limerick, comprising a population of about 10,000 persons, 2559-2561—Opinion strongly in favour of the total closing of public-houses on Sunday; great moral benefits anticipated, 2562-2565. 2584. 2607. 2634, 2635—Greater amount of drinking in Limerick on Sunday than on any other day, 2566—Very general feeling in Limerick in favour of Sunday closing; belief that a large majority would sanction the adoption of a permissive Bill on the subject, 2567 *et seq.*

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Decrease of drunkenness in Limerick since the temperance movement on the part of the Redemptorist Fathers, 2629-2633—Frequency of poverty as a result of excessive drinking, 2638-2640—Decided advantage of earlier closing on Saturday, 2641-2643—Belief that the middle and lower classes would readily conform to a law which was meant for their good, 2644-2648—With regard to the difficulty of earlier closing on Saturday on the score of the late payment of wages, this would soon be obviated, 2651, 2652.

France. Satisfactory operation of the system in France of giving powers to liquor vendors to enforce order in their houses, *Porter* 1400. 1410-1414—Different circumstances of France and of Ireland as regards the opening of places for refreshment on Sundays, there being numerous working-men in France who labour on Sunday, *ib.* 1478-1481.

G.

Good Friday. Concurrence in a certain petition from Clonnel that the Bill should not include Good Friday and days of thanksgiving of the Roman Catholic Church as well as Sunday, *De Gernon*, 140-142.

H.

Hamilton Thomas. (Analysis of his Evidence.)—Resident magistrate at Cork; has had considerable experience also in other parts of Ireland, 1061-1066—Opinion that the total closing of public-houses on Sunday would lead to much inconvenience, and would be justly objected to by the working classes, 1067-1071. 1124. 1153—Approval of a reduction

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of the present hours of opening; the limit might be from two to eight in summer, and from two to six in winter, 1070-1076. 1103. 1111. 1138, 1139. 1152—Question considered as to the necessity for the houses being opened so early as two o'clock; convenience in the case of men who want beer at dinner or after dinner, 1076-1085—Expediency of the same regulations being applied in Limerick as in Cork, 1087.

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Healy, William. (Analysis of his Evidence.)—Is a grocer, spirit dealer, and licensed vintner at Cork, 2045, 2046—Considers that the Bill would be exceedingly injurious to the publicans in the districts around Cork frequented by excursionists on Sunday, 2047-2053—Very little drinking in Cork on Sunday, 2052—Belief that the proposed restrictions on Sunday would lead to much illicit traffic, and to the formation of shebeen-houses of a very low character, 2054, 2055. 2078-2084. 2110-2112. 2132-2140—Expediency of Sunday restrictions embracing other places besides public-houses where drink is sold, hotels being excepted as regards travellers, 2056. 2076, 2077. 2091-2093.

Great difficulty in requiring spirits not to be consumed on the premises; constant evasion of this regulation at the spirit grocers, 2057. 2064-2069. 2078-2083. 2117-2119. 2132-2137—Approval of the hour of closing on Sunday being nine o'clock; statement hereon that witness closes at eight o'clock, and is preparing to close altogether, 2058, 2059. 2084-2090. 2094-2103.

Great hardship to the working-classes if publicans and spirit grocers were obliged to close early on Saturday, as the late payment of wages would interfere with purchases; approval however of ten o'clock as the hour for closing, 2060-2077. 2084. 2106-2109. 2116-2121. 2142-2145—Explanation relative to the large reduction in the cases of drunkenness during an exceptional period when the public-houses were closed at six on Sunday, 2104, 2105. 2111—With regard to the long hours of labour of publicans' assistants, some relief on Sunday would doubtless be desirable, 2113-2115.

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Health. Absence of inconvenience or injury through persons suddenly requiring stimulants on Sunday on the score of health, *De Gernon*, 208-212.

Hotels. Contemplated exception of hotels, unless where there were public bars, from the restriction as to sale of drink on Sunday, *H. O'Donnell* 1292. 1306, 1307; *Barry* 2033—Expediency of hotels being excepted as regards travellers, *Miller* 1792-1798; *Healy* 2092.

HOURS OF SALE (PUBLIC-HOUSES, &c.):

Regulation under Perrin's Act in 1833, by which the hours of sale on Sunday were from two to eleven o'clock, *Wigham* 4-6—Appointment in 1834 of a Committee to inquire into the operation of Perrin's Act, a further Act on the subject having been passed in 1836, which limited the hours of sale from two to nine o'clock, *ib.* 7-12. 57-67—Re-extension of the time of sale from two to eleven o'clock, under the operation of the Wine Licenses Act of 1860, *ib.* 13-18.

Improvement if instead of the Bill providing for the public-houses being open from two till four in the afternoon, and from eight to nine in the evening, there were but one period of opening, or from three to five, *De Gernon* 252-255. 280—Opinion that if any open time be allowed the best hours are from two to four, *Ryan* 302, 303; *Sullivan* 526—Abuse arising under the Beer Act of 1860, through the extension of the time of opening till eleven o'clock, *Ryan* 311.

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Advantage of the hours of opening on Sunday being continuous rather than intermittent, *Lyons* 782, 783. 787. 804, 805; *Hamilton* 1093, 1094. 1131, 1132; *Porter* 1444-1449; *Corr* 1714; *Miller* 1741-1743; *Barry* 1863; *McCabe* 2267, 2268.

Opinion favourable to closing public-houses on Sunday excepting for one hour in the afternoon, when the drink sold should not be consumed on the premises, *J. C. O'Donnell* 932-939. 985, 986. 970-974. 1032—Approval of a reduction of the present hours of opening, the limit might be from two to eight in summer, and from two to six in winter, *Hamilton* 1070-1076. 1103. 1111. 1138, 1139. 1152—Question considered as to the necessity for the houses being opened so early as two o'clock; convenience in the case of men who want beer at dinner or after dinner, *ib.* 1076-1085.

Conclusion of the grocers assistants of Dublin that if the public-houses were open from two to five or six, and if eating-houses were similarly dealt with, no inconvenience of any moment would arise, whilst much benefit would result, *H. O'Donnell* 1165 *et seq.* Statement as to nine o'clock having been the hour of closing in Dublin on Sunday until 1860, *ib.* 1177-1180. 1256. 1268, 1269—Witness repeats that he is in favour of the hours for opening on Sunday being from two to five or six; he does not recommend total closing, *ib.* 1305-1315—Expediency, if the houses be open at all, of only one period of opening, and the shorter the better, *Berkely* 1326-1329. 1356-1358.

Doubt as to any benefit by closing earlier than eleven on Sunday night, *Porter* 1463-1465—Objection not only to total closing on Sunday, but to any limitation of the present hours, even though spirit grocers were included in the prohibition, *Carey* 1529-1533—Non-objection to the old law being reverted to, by which the hour of closing on Sunday was nine o'clock, *Carey* 1596; *Barry* 1861, 1862. 2002, 2003. 2039-2042.

Statement in favour of the hours of opening being from three to nine, and of all houses where liquor is sold being included in this regulation, *Corr* 1656-1661—Approval of the hour of closing on Sunday being nine o'clock; statement hereon that witness closes a eight o'clock, and is preparing to close altogether, *Healy* 2058, 2059. 2084-2090. 2094-2103—Evidence in support of the recommendation that the public-houses should be closed till three on Sunday, and should then be open till seven in summer and till five in winter, *McCabe* 2206-2213. 2272-2289.

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Adoption of motion, "that the hours for the sale of intoxicating drinks on Sunday, and the other days enumerated in the Bill, be from two p. m. till seven p. m.," except in certain towns, *Rep.* vii.—Resolution that in certain towns, as defined in the Bill, the hours be from 2 p. m. till 9 p. m., *ib.*

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I.

Illicit Traffic. Belief that the passing of the Bill would have very injurious results, and that illicit trade in drink would greatly increase, *Porter* 1377 *et seq.*; *Carey* 1510-1512; *Corr* 1653-1655. 1683, 1684; *Keegan*, 2153-2158. 2163-2167; *O'Ferrall* 2423. 2429 *et seq.*—Injurious effect upon legitimate traders, whilst illegal traffic would be fostered by a prohibitory enactment, *Porter* 1455-1462.

Opinion that a large illicit traffic would not result from earlier closing on Saturday, and total closing on Sunday; attempt, however, would probably be made to open shebeen houses, *Miller* 1763, 1764. 1771-1775. 1801-1805.

Grounds for concluding that the Bill will not prevent nor diminish Sunday drinking, as illegal traffic in drink is sure to arise, and to a most injurious extent if the law is made more penal, *Barry* 1843-1859. 1895-1898—Great difficulty of preventing through means only of the police all illicit trade in liquor, *ib.* 1899-1907—Belief that the proposed restrictions on Sunday would lead to much illicit traffic, and to the formation of shebeen-houses of a very low character, *Barry* 1985-2001. 2012-2022. 2028-2030; *Healy* 2054, 2055. 2078-2084. 2110-2112. 2132-2140.

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Keegan, John. (Analysis of his Evidence.)—Is Secretary to the United Trades Association of Dublin, 2150, 2151—Strong feeling on the part of the tradesmen of Dublin against the Bill, 2152—Conclusion that the proposed restrictions upon the sale of liquor on Sunday will lead to a great amount of secret or illicit drinking, and will have no effect in diminishing drunkenness in Dublin, 2153–2158. 2163–2167—Large numbers of the trading class of Dublin who go into the suburbs on Sunday, and to whom the proposed restrictions would cause great inconvenience and irritation, 2153.

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Admission as to a large class of persons being induced to indulge in drink on Sunday merely by the temptation thrown in their way, 2178–2180—Explanation that witness has no direct authority to represent the opinions of the Dublin trades, 2181–2188—General feeling of the trades as to the immense inconvenience to be caused by closing earlier than the present hour on Saturday night; late payment of wages adverted to hereon, 2188, 2189.

Kilmore Diocese. Voluntary closing of public-houses on Sunday in the Roman Catholic archdiocese of Kilmore, *Wigham* 114.

Kingstown. Hardship if the public houses at Kingstown and elsewhere were closed all day on Sunday, *M^cCabe* 2204, 2205. 2210. 2222—Obstacles to any effectual check by witness to intemperance at Kingstown, *ib.* 2310–2313.

L.

Leahy, the Most Rev. Dr. Patrick. (Analysis of his Evidence.)—Is Roman Catholic Archbishop of Cashel, 381—Outline of the steps taken by witness during the last eleven years for the propagation of temperance in his diocese, 382—Gradual manner in which witness introduced the Sunday temperance law into the diocese, under which ecclesiastical law there is no sale of liquors on Sunday, except in the case of travellers, and in cases of necessity, 382–386—Since 1861, the law has been in full force throughout the whole diocese, 384—Definition of a traveller as a person who had gone seven Irish miles from home, 387, 388—Exceedingly beneficial operation of the law in diminishing intemperance, and in improving the moral habits of the people, 389 *et seq.*

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Absence of increase of private or home drinking since the closing of the public-houses, 442-444—Increased temperance on week-days as well as on Sunday, 445—Important diminution of crime as well as of drunkenness, 446—Decided objection to the provisions of the present Bill, by which the public-houses are to be open for two or three hours on Sunday; necessity of total closing, 450. 456-463. 482-485. 494. 495—Belief that after a time the people would generally become fully reconciled to total closing under Act of Parliament, 451, 452.

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Explanation of the practice at Belfast in the licensing of public-houses by the recorder, and by the magistrates respectively; frequent sale of the license by auction, *Lindsay* 889-897. 906, 907—Opinion in favour of licenses being granted only by one court, that of the recorder, *ib.* 918, 919—Explanation that witness would, on the whole, prefer that licenses should be granted by the magistrates in conjunction with the recorder, instead of by the recorder alone, *ib.* 1060—Particulars relative to the course of procedure in the issue of licenses at Belfast; anomaly of the twofold jurisdiction exercised in the matter by the recorder, *J. C. O'Donnell* 971-973. 987-989. 1033.

Injurious operation of the system of excise licenses, *Berkeley* 1331, 1332—Approval of licenses for the sale of beer, spirits, &c., coupled with strict requirements as to the character of the persons to whom granted, and enlarged powers in their hands for the preservation of orders in their houses, and for refusing to supply drink in excess, *Porter* 1399-1401. 1410-1414. 1425-1428. 1433-1439—Suggestion that licenses in Dublin should be granted by the divisional justices, instead of by the recorder or court of quarter sessions, *ib.* 1415-1419—Facility of evading the provisions of the Bill by taking out revenue licenses; question hereon whether these licenses might not without difficulty be vintned under the bill, *Carey* 1522-1524. 1545-1549—Prejudicial effect upon licensed vintners if licenses were made uniform; large capital sunk by the vintners in their houses, *ib.* 1590-1595. 1640, 1641.

Great evil under the present system of revenue licenses to spirit grocers and beer sellers, as facilitating excessive drinking at prohibited hours; expediency of one uniform system of license, *Corr* 1669-1682. 1685-1689—Undue facility with which licenses are obtained in Ireland; check applied in the district about Lurgan, *Miller* 1753-1755—Great benefit to be derived from increased care in the granting of licenses, *ib.* 1790, 1791—Amendments required in the licensing law rather than in the Sunday trade in liquors, *Barry* 1982, 1983.

Expediency of amendment in the practice in Dublin of granting licenses; evils of the system of excise licenses, *McCabe* 2256-2263—Careful inquiry at Limerick before licenses are granted, *O'Shaughnessy* 2372—Claim of the publican to some reduction on the cost of a license if prohibited from selling drink on Sunday, *O'Ferrall* 2423-2428—Evils of the present system by which spirit grocers and beerhouse keepers are licensed to sell drink; expediency of placing the licenses on an improved footing, *ib.* 2450-2460. 2666.

Disapproval of the passing of the Bill, unless at the same time, or previously, the system of licensing is altered, and grocers' shops and beerhouses are placed on a proper footing, *O'Ferrall* 2466. 2474-2489. 2501-2504—Difficulty in amending the system

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Limerick. Necessity of an increased police force in Limerick, in order to carry out further restrictions on the sale of drink on Sunday, *O'Shaughnessy* 2337-2339. 2408, 2409, 2413-2417—Explanation relative to the great diminution lately in the amount of drunkenness at Limerick, *ib.* 2344-2350. 2369-2371—Statement as to the voluntary closing for a time of the public-houses on Sunday, and as to the absence of any serious inconvenience or complaint during this period, *ib.* 2351-2365. 2368.

Greater amount of drinking in Limerick on Sunday than on any other day, *FitzGerald* 2566—Very general feeling in Limerick in favour of Sunday closing: belief that a large majority would sanction the adoption of a permissive Bill on the subject, *ib.* 2567 *et seq.*—Belief that a majority of the publicans would willingly accept a law enjoining total closing, *ib.* 2569-2574. 2592. 2595, 2596—Admission that the drunkards in witness's parish form a very small minority of the population; there is however excessive drinking on Sunday, *ib.* 2609-2628. 2649, 2650—Decrease of drunkenness since the temperance movement on the part of the Redemptorist Fathers, *ib.* 2629-2633.

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Lindsay, Robert. (Analysis of his Evidence.)—Is a merchant and manufacturer at Belfast, and an alderman and magistrate of the borough, 806, 807—Is strongly in favour of the total closing of public-houses on Sunday; and considers it quite practicable to carry out a law to that effect, 808-810. 860-862—Detailed information, as obtained from police sources, as to the large amount of drunkenness in Belfast, and the injurious effect of drunkenness in leading to crime, 811, 812—Instance of the excellent effect of closing the public-houses as a check upon rioting, 812.

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Very limited amount of inconvenience which might result from total closing on Sunday. small per-centage of the population in whose case inconvenience might arise, 841-847. 856-859—Limitation of late of the number of licenses issued, the number of public-houses having been excessive, 819—Consideration of the measures desirable for preventing the abuse which now arises from the sale of whisky by spirit grocers; witness would suggest that every spirit-grocer's license should be withdrawn, 854. 863-866.

Opinion in favour of the public-houses being closed from eight o'clock on Saturday evening till Monday morning, 860-862—Uselessness of a measure allowing the sale of drinks on Sunday not to be consumed on the premises, 864-868. 875-878—Considerable sacrifice made by those publicans who now close voluntarily on Sunday, 885-888. 899-901. 908-913—Explanation of the practice in the licensing of public-houses by the recorder, and by the magistrates respectively; frequent sale of the license by auction, 889-897. 906, 907.

Probable establishment of an increased number of tea and coffee-houses if public-houses were closed throughout Sunday, 902—Apprehended evasion of the law in the event of a provision that travellers may be supplied with liquor at public-houses or at eating-houses, 903-905. 914-917. 920, 921. 924—Opinion in favour of licensing being granted only by one court, that of the recorder, 918, 919—Great boon to the labouring classes if Sunday closing be enforced, 922—Inconsistency in not closing public-houses as well as bakers' shops and butchers' shops, 923—Belief that working people would not establish Sunday drinking clubs in the event of the public-houses being closed, 925.

[Second Examination.] Explanation that witness would on the whole prefer that licenses should be granted by the magistrates in conjunction with the recorder, instead of by the recorder alone, 1060. Loss

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Loss of Trade. Slight mischief apprehended as regards the loss of trade by publicans under a compulsory enactment as to Sunday closing, *Rev. Dr. Leahy* 464. 471, 472; *Pillsworth* 674-678—Considerable sacrifice made by those publicans who now close voluntarily on Sunday, *Lindsay* 885-888. 899-901. 908-913—Ruinous effect of total closing upon the public-houses in the suburbs or rural district about Dublin, *Carey* 1517-1522—Nature of the claim of publicans to keep their houses open on Sunday, whilst other shops are closed, *Carey* 1561-1563. 1610-1615; *Barry* 1941-1943. 2009-2011—Exceedingly injurious effect of the Bill upon numerous public-houses in the suburbs of Cork, whose principal trade is on Sunday; great injury also to the licensed houses generally, *Barry* 1833-1842. 1888. 1908-1933. 1979-1981—There are in the suburbs of Dublin 57 public-houses deriving their chief support from Sunday business, *O'Ferrall* 2428.

Lyons, Francis. (Analysis of his Evidence.)—Mayor of Cork, 701—Apprehension lest the closing of public-houses in Cork on Sunday would induce people to lay in a stock of whisky on Saturday, instead of their sending for beer on Sunday, 704-706. 743—Occurrence of drunkenness in Cork, chiefly in the public-houses, and not at the houses of the people, 706-708—Numerous cases of drunkenness for trial on Monday morning, these arising however more from excess on Saturday evening than on Sunday, 709, 710.

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Advantage if public-houses were closed earlier on Saturday evening, or at nine o'clock, 732-735. 760, 761—Grounds for preferring that liquor should be sold to be drunk on the premises, rather than elsewhere, 742-751—Feeling in Cork opposed to total closing on Sunday, but not to restricted opening, 747. 798-803.

Expediency of the same hours, or from three to eight, being applied to all houses where intoxicating liquors are sold in any shape, 752-759. 775-781—Improvement if wages were paid on Friday, 762, 763—Effect of the increased price of whisky in diminishing the amount of drunkenness, 771-773—Approval of the public-houses being open for one continuous period, rather than for intermittent hours, 782, 783. 787. 804, 805—Hardship to those employed in public-houses through not being at leisure on Sunday, 784. 793-797.

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McCabe, The Rev. Edward (Canon). (Analysis of his Evidence.)—Was for about nine years parish priest of St. Nicholas, Dublin, where there is a very large labouring population; is now parish priest of Kingstown, 2190-2196—Decrease of drunkenness in Dublin, as the people have become more educated and better off, 2197-2199—Considerable amount of drunkenness still to be seen on the evenings of Saturday and Sunday, 2200-2203. 2214—Hardship if the public-houses at Kingstown and elsewhere were closed all day on Sunday, 2204, 2205. 2210. 2222.

Evidence in support of the recommendation that the public-houses should be closed till three on Sunday, and should then be open till seven in summer and till five in winter, 2206-2213—Expediency of removing temptation from that large class who are led to indulge in drink merely from social habit, 2214, 2215—Belief as to there being much illicit drinking in Dublin before two o'clock on Sunday, 2216-2219—Temporary success of an attempt to close voluntarily the public-houses in Thomas-street on Sunday, 2219, 2220.

Belief that, a reasonable hour being allowed for refreshment, the working classes would, as a rule, willingly submit to increased restriction on Sunday, 2221, 2222. 2240—General feeling of the women in favour of increased restriction, 2221. 2240—Great mischief consequent upon the sale of drink late on Saturday evening, 2223—Statement strongly in favour of public-houses, beer-shops, and spirit-grocers' shops being closed on Saturday at nine o'clock; belief that but limited inconvenience would arise on account of the late payment of wages, 2224-2239. 2290-2296.

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Dissent from the proposal in the Bill that drink sold on Sunday must not be drunk where it is purchased, 2264-2268. 2282—Objection to two different periods of opening on Sunday, 2267, 2268—Necessity of including eating-houses in the operation of the

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Bill, 2269, 2270—Further statement as to the reasons for postponing till three o'clock the hour of Sunday opening, 2272-2281—Statement in further support of closing the houses at seven o'clock in summer, 2283-2289.

Impracticability of carrying out in Dublin or Kingstown the system of voluntary closing adopted through the influence of the clergy in the archdioceses of Cashel and Wexford, 2309, 2310—Obstacles to any effectual check by witness to intemperance at Kingstown, 2310-2313—Doubt whether the provisions of the Bill would be adopted if it were permissive to municipal bodies to take action in the matter, 2314-2320—Necessity of all houses where intoxicating drinks are sold being subject to the proposed restrictions, 2321.

Miller, Moore. (Analysis of his Evidence.)—Resident magistrate at Armagh; has been in the county since 1846; 1717-1719—Considers it desirable that all houses for the sale of intoxicating drinks should be totally closed on Sunday 1720 *et seq.*—Evasion of the law, and dissatisfaction to publicans, if refreshment houses were open whilst public-houses were closed, 1724, 1725. 1757-1761—Belief that the lower classes would not be dissatisfied because the upper classes would still have an opportunity of obtaining drink at their clubs or at hotels; the latter should supply only to travellers, 1726-1728. 1792-1798.

Exception contemplated in the case of travellers; this could be carried out without difficulty, 1729-1732—Little, if any, inconvenience in Armagh, Lurgan, &c., through people not being able to frequent eating-houses on Sunday, 1729. 1740, 1741—Slight inconvenience anticipated as regards excursionists into the suburbs of towns if the public-houses were closed, 1733-1739. 1776-1785—Advantage, if the public-houses be open at all of the period of opening being continuous rather than intermittent, 1741-1743.

Much more intoxication on Saturday evening than on Sunday, it being exceedingly desirable to close the public-houses earlier on Saturday, say at seven o'clock, 1744-1751. 1765-1775—Statement that the amount of intoxication upon Sunday is not a crying evil, and is not on the increase, 1746-1765—Consideration as to the time of payment of wages on Saturday night, with reference to the question of the time of closing the public-houses and spirit-grocers' shops, 1748-1751. 1786-1789. 1806—Undue facility with which licenses are obtained in Ireland; check applied in the district about Lurgan, 1753-1755.

Belief that a large illicit traffic would not result from earlier closing on Saturday, and total closing on Sunday; attempts, however, would probably be made to open shebeen-houses, 1763, 1764. 1771-1775. 1801-1805—Great benefit to be derived from increased care in the granting of licenses, 1790, 1791—Approval of the refreshment rooms at railway stations being still open on Sunday, as being intended for travellers, 1807-1809.

Monday (Excess of Drinking). Apprehended increase of drinking on Monday if the public-houses are entirely closed on Sunday, *Porter* 1405, 1406. 1422-1424.

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New York. Prohibition in force for the last two or three years upon the sale of liquors in New York on Sunday: very salutary operation thereof in diminishing drunkenness and crime, *Field* 2514 *et seq.*—Effectual check through the police upon the illegal sale of drink on Sunday, *ib.* 2537-2539. 2548, 2549—Considerable drinking on Saturday night, the public-houses being open till twelve o'clock: advantage hereon in wages being paid by some employers on Monday, *ib.* 2540-2544.

North of Ireland. Long period for which in the north of Ireland there has been a movement in favour of Sunday closing, *Wigham*, 97, 98—Unanimous opinion of the Presbyterian body in the north of Ireland in favour of the compulsory prohibition of the sale of intoxicating drinks on Sunday, *Berkeley* 1317-1321. 1374, 1375—Little, if any, inconvenience to the working classes in the north of Ireland in being prevented from purchasing beer on Sunday for consumption with their meals: practice generally of the people not to drink at home but only in the public-houses, *ib.* 1322, 1323. 1333. 1349.

Number of Public-houses. Opinion in favour of limiting the number of licenses and of public-houses, *Ryan* 305.

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O'Donnell Hugh. (Analysis of his Evidence.)—Is manager of a wholesale grocery and spirit establishment in Dublin, represents on the present occasion the grocers' assistants of Dublin, 1157-1161—Opinion of the assistants that if eating-houses and beer-houses are restricted in the same way as public-houses, total closing on Sunday may fairly be enforced, 1162-1165—Increased number of eating-houses and beer-houses, and consequent evasion of prohibitory regulations, if total closing on Sunday refers only to public-houses, 1163. 1193-1195.

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Conclusion of the grocers' assistants, that if the public-houses were open from two to five or six, and if eating-houses were similarly dealt with, no inconvenience of any moment would arise, whilst much benefit would result, 1165 *et seq.*—Very long hours of daily labour of assistants in public-houses and grocery establishments, so that a curtailment of the hours on Sunday would be a great boon to a numerous class, 1166–1183. 1270–1281—Statement as to nine o'clock having been the hour of closing on Sunday until 1860; 1177–1180. 1256. 1268, 1269—Obstacle to any enforcement of the regulation that liquor when sold must not be consumed on the premises, 1184–1189. 1264, 1265.

Belief that but little inconvenience would arise if the Dublin eating-houses were open only from two to five as regards the sale of drink, 1196–1202. 1229–1250—Absence of any sensible inconvenience to travellers and excursionists by closing the public-houses at five or six, 1203–1207. 1226–1228—Less inconvenience of total closing on Sunday in a place like Sligo than in Dublin, 1208–1213. 1224, 1225—Advantage if on Saturday evening the public-houses were closed at ten, 1214–1223. 1251, 1252—Question as to the mode of dealing with the eating-houses further considered: probable evasion of the law if allowed to be open longer than public-houses, even though subject to penalties for selling drink after a certain hour, 1229–1241. 1265–1267. 1283–1292. 1305–1311.

Expected jealousy among the lower classes if public-houses were closed on Sunday whilst club-houses were open, 1253–1255. 1299–1304—Suggestion that on week-days public houses should be closed at ten instead of eleven, 1257–1262—Contemplated exemption of hotels, unless where there were public bars, from the restrictions as to sale of drink on Sunday, 1292. 1306, 1307—Practice of soldiers in Dublin to frequent the public-houses on Sunday more than on other days, 1296–1298—Witness repeats that he is in favour of the hours for opening on Sunday being from two to five or six; he does not recommend total closing, 1305–1315.

O'Donnell, John Charles. (Analysis of his Evidence.)—Is resident magistrate at Belfast, 926–928—Large number of cases of drunkenness dealt with by witness every Monday morning, the majority of these arising from excess on Saturday night, 929–931. 974–976. 1027–1029—Opinion favourable to closing public-houses on Sunday except for one hour in the afternoon, when the drink sold should not be consumed on the premises, 932–939. 985, 986. 970, 971. 1032—Suggestion that on Saturday evening the public-houses should be closed at nine, on account of the excessive drinking after that hour, 938. 974–976. 1027–1032.

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Limited extent to which the closing of public-houses in Belfast on Sunday would be inconvenient as regards the travelling class; difficulty of any distinction in favour of this class, 954–956. 977–982—Impossibility of a general and voluntary closing of public-houses in Belfast on Sunday through the interference of the Roman Catholic clergy, 958–960—Much greater facility in carrying out a prohibition upon Sunday trade in liquors in rural districts than in towns: advantage in such districts of the moral influence of the Roman Catholic clergy, 962–969. 1016–1026.

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O'Ferrall, John Lewis. (Analysis of his Evidence.)—Is Commissioner of Metropolitan Police of Dublin, 2421—Submits a Report of the Commissioners upon the present Bill; various reasons assigned therein for the conclusion that the Bill will not effect the object for which intended, 2422, 2423—Claim of the publican to some reduction in the cost of a license, if prohibited from selling drink on Sunday, 2423–2428—Apprehension, lest the Bill would lead to a great increase of illicit drinking in beer-houses and spirit-grocers'

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grocers' shops, there being great facilities for evasion of the law by these places, 2423. 2429 *et seq.*

Increased resort to spirit-grocers and beer-sellers, accordingly as the hours of opening of public-houses are restricted, 2429-2436. 2461-2463. 2471-2473. 2501—Suggestions by the Dublin Commissioners for an amendment of the present system in regard to the sale of spirits by spirit-grocers, 2450—Evils of the present system by which spirit-grocers and beer-house keepers are licensed to sell drink; expediency of placing the licenses on an improved footing, 2450-2460. 2466—Non-objection to a return to the former law by which the hour of closing on Sunday was nine o'clock; probable inconvenience however in the case of excursionists and others, 2465-2473. 2490.

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O'Shaughnessy, Dr. James. (Analysis of his Evidence.)—Is a surgeon and a magistrate at Limerick, and has resided there for thirty years, 2322-2325—Considers that the total closing of public-houses on Sunday would be extremely beneficial in Limerick, and in the counties around, and would not cause much inconvenience, 2326-2335. 2340. 2376-2378. 2410-2412—Feeling of the people, as a rule, in favour of total closing, 2336. 2341-2343. 2366. 2410-2412—Necessity of an increased police force in Limerick, in order to carry out further restrictions on the sale of drink on Sunday, 2337-2339. 2408, 2409. 2413-2417.

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Perrin's Act (1833). Closing of public-houses on Sunday in Ireland previously to Mr.

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Mr. Perrin's Act, 3 & 4 Will. 4, c. 68, under which Act the sale of liquors on Sunday was legalised from two o'clock to eleven o'clock, *Wigham* 3-6—State of public opinion before the passing of Perrin's Act adverted to; increase of drunkenness after the passing of the Act, *ib.* 89-93. 99, 100.

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Pillsworth, Patrick. (Analysis of his Evidence.)—Grocer and spirit merchant in Dublin; is owner of three public-houses there, 663-669—Closing of witness's houses on Sunday; failure of an attempt by him to induce several other dealers to keep their places permanently closed on that day, 670-673—Doubt as to closing on Sunday causing any very serious loss to the owners of public-houses, 674-678—Probable evasion of a law for compulsory closing, though many houses would observe the law, 680—Expediency of a provision that drink sold on Sunday must not be consumed on the premises, 681.

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Porter, Frank Thorp. (Analysis of his Evidence.)—Was magistrate at the head police office in Dublin for twenty years, 1376—Is opposed to any restriction relative to the opening of public-houses on Sunday; considers that in Dublin an immense illicit traffic would spring up, and that there would be as much intoxication as at present, 1377 *et seq.*—Doubt as to any benefit arising from the existing restrictions, as those who are inclined to drink contrive to do so at illicit hours, 1380-1382—Great improvement within witness's experience in the moral habits of the lower classes; much less intemperance than formerly, 1389-1393.

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Further statement that those who really wish for liquor will contrive to get it all the same even if the public-houses are closed; probability, however, of the removal of temptation being beneficial to some extent, 1402-1409. 1425—Apprehended increase of drinking on Monday if the public-houses are entirely closed on Sunday, 1405, 1406. 1422-1424—Advantage in making the publican accountable for the sobriety of those frequenting his house; non-objection in such case to licenses being very freely given, or to the houses being open for longer periods than at present, 1408. 1425-1428. 1433-1435. 1439, 1440. 1477. 1482, 1483.

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whether any advantage would be gained if the houses were closed earlier on Saturday, 1466-1470—Different circumstances of France and of Ireland as regards the opening of places of refreshment on Sunday, there being numerous working men in France who labour on Sunday, 1478-1481—Doubt as to the opening of public-houses on Sunday having any effect in facilitating disaffection to Government, 1484, 1485.

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Private Drinking. Conclusion that very little abuse would arise through persons assembling to drink in private houses, if public-houses were closed, *De Gernon* 158-167. 213-215—Less abuse in connection with card-playing in private houses than in public-houses, *ib.* 182-185. 245—Absence of increase of private or home drinking in Cashel diocese since the closing of the public-houses, *Rev. Dr. Leahy* 442-444—Less evil if people were to drink at home on Sunday than if they drunk at public-houses; belief that there would not, however, be any increase of private drinking, *ib.* 453, 454. 473-476.

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Application by the licensed vintners of Dublin in 1860, for an extension of the time of opening their houses, from nine to eleven, on Sunday evening, the houses of the spirit-grocers and beer-sellers having been open till the latter hour, *Carey* 1497. 1501, 1502. 1531—Desire of the licensed vintners to prevent excess in the sale of drink, so that there has been less drunkenness since the public have resorted more to their houses and less to their beershops and spirit-grocers' shops on Sunday night, *ib.* 1499. 1502—Anxiety of the publicans of Dublin to keep the trade respectable, and to prevent drunkenness further adverted to, *ib.* 1510. 1528. 1536-1540—Objection to the proposal that the publican should have larger authority, and be more fully accountable upon the question of selling drink in excess to any one, *Carey* 1607-1609; *Carr* 1693-1702.

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Ralph, Michael John. (Analysis of his Evidence.)—Represents the Association of Spirit Grocers of Dublin, 575-579—Considers that if the licensing system were altered it would be very desirable to prohibit the sale of liquor in public-houses, in Dublin, on Sunday, 580-589. 635, 636—Opinion that the working classes would, generally, be opposed to interference with the public-houses, 590-592. 637, 638—Means of carrying out a provision that drink sold on Sunday should not be drunk in the public-houses.

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593-596. 604. 628-633. 639-645—If the houses are to be kept open for a limited time, the best hours are from three to six, 597-604.

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Saturday (Hour of Closing). Numerous cases of drunkenness for trial in Cork on Monday morning, these arising, however, more from excess on Saturday evening than on Sunday, *Lyons* 709, 710—Suggestion that on Saturday evening the public-houses should be closed at nine, *Lyons* 732-735, 760, 761; *J. C. O'Donnell* 938, 974-976, 1027-1032; *Berkeley* 1329, 1330; *O'Shaughnessy* 2393-2397—Opinion in favour of the public-houses being closed from eight o'clock on Saturday evening till Monday morning, *Lindsay* 860-862—Greater evil arising from the late hour of closing on Saturday evening than on Sunday; very beneficial result if the hour for closing on Saturday were nine o'clock, *Hamilton* 1089-1092, 1104, 1112-1115, 1120-1123, 1133-1137, 1152.

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Much more intoxication on Saturday evening than on Sunday, it being desirable to close the public-houses earlier on Saturday, say at seven o'clock, *Miller* 1744-1751, 1765-1775—Consideration as to the time of payment of wages on Saturday night, with reference to the question of the time of closing the public-houses and spirit-grocers' shops, *ib.* 1748-1751, 1786-1789, 1806.

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Doubt lest the earlier closing of public-houses on Saturday night would produce more harm than good, *O'Ferrall* 2506-2508—Decided advantage of closing earlier on Saturday, *Fitzgerald* 2641-2643—The difficulty of earlier closing on Saturday, on the score of the late payment of wages would soon be obviated, *ib.* 2651, 2652.

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Spirit Grocers. Injurious operation of the spirit-grocers' shops in Belfast, spirits being largely sold in them in the night time, and consumed on the premises, in evasion of the law, *Lindsay* 816, 817. 854. 879-884—Consideration of the measures desirable for preventing the abuse which now arises from the sale of whisky by spirit grocers; witness would suggest that every spirit-grocer's license should be withdrawn, *ib.* 854. 863-866—Contemplated closing of spirit-grocers' houses on Sunday as well as of public-houses, *J. C. O'Donnell* 1013-1015; *Fitzgerald* 2653-2658—Opinion of the Dublin grocers' assistants that if eating-houses and beerhouses are restricted in the same way as public-houses, total closing on Sunday may fairly be enforced, *H. O'Donnell* 1162-1165—Recommendation that spirit grocers should receive the same form of license as public-house keepers, *Porter* 1420, 1421. 1436-1438.

Constant evasion of the law as to drink sold by spirit grocers not being drunk on the premises; power also of the spirit grocers to keep open all day on Sunday by paying a small fine, *Carey* 1497-1500. 1503-1509. 1602-1606—The majority of the spirit grocers in Dublin violate the spirit of their license, *Corr* 1676. 1715—Necessity of all houses where intoxicating drinks are sold being subject to the proposed restrictions, *Miller* 1720 *et seq.*; *McCabe* 2321; *O'Shaughnessy* 2383, 2384—Contemplated closing of spirit-grocers' shops at the same hour on Saturday as public-houses, *Healy* 2118-2121.

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I N D E X

TO THE

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

SALE OF LIQUORS ON SUNDAY
(IRELAND) BILL.

*Ordered, by The House of Commons, to be Printed,
26 May 1868.*

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Under 4 oz.

